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LAND SERVICE BULLETIN

DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12

March 1, 1928.

No. 1

BIND THE BULLETIN.

With this issue the Bulletin enters upon its twelfth year. Members of the Land Service receiving the Bulletin are requested to assemble the 12 numbers of volume 11 and transmit them to the General Land Office for binding. The bound volumes will be distributed as soon as the work is completed by the Government Printing Office.

FIELD CONFERENCES.

During the past winter a number of important and profitable conferences have been had concerning the field activities of the office, among those participating being Governor George A. Parks and Division Inspector James A. Ramsey, of Alaska, and Supervisor of Surveys Frank M. Johnson and Division Inspector Ralph S. Kelley, of Denver, Colorado.

OREGON AND CALIFORNIA TAX UNIT.

Two claims for the year 1927 under the act of July 13, 1926 (44 Stat., 915), amounting to \$164,052.70, were received during the month of February. All claims for the years 1916 to 1925 have been received and disposed of. Eighteen claims for the year 1926 have been received, for a total of \$691,183.62, of which 16 have been certified for \$639,395.53, leaving 2 pending claims involving \$26,306.34.

SURVEY NOTES.

Boundaries of the Rocky Mountain National Park, Colorado.--Special instructions designated as Group 206, Colorado, recently received from the Supervisor of Surveys, provide for the surveys and resurveys necessary to establish the remaining boundaries of the Rocky Mountain National Park, Colorado. These instructions provide for the completion of the survey of the south and west boundaries of the park and the partial subdivision of the sections in which the boundaries of private claims are involved.

Based upon the request of the National Park Service, the survey of the entire boundary of the Rocky Mountain National Park was authorized by letter dated July 29, 1924 (approved by the First Assistant Secretary of the Interior on the same date). The mileage of the park boundaries was estimated at 66 miles along public survey lines and 30 miles or more along natural items of topography. The boundary crosses the Continental Divide at two places and in general traverses high and extremely rough mountainous lands. The evidences of the original surveys executed approximately 50 years ago are reported as being largely obliterated, and the few remaining original corners are unrelated. It has therefore been necessary to make very extensive retracements to determine the position for the boundary.

Forest Exchange Lands.--Among the acceptances of the past month was an extension survey of Secs. 7 and 18 completing the survey of T. 2 S., R. 12 E., G. & S. R. M., Arizona. This survey is of unusual interest in that it accommodates an application for exchange of Forest lands under the act of March 20, 1922 (42 Stat. 465), with the ultimate object of establishing and maintaining an arboretum on the lands applied for. These lands are situated within the Crook National Forest, and the location is near the State highway between Phoenix and Superior, Arizona.

Recently Accepted Resurveys.--Among the recently accepted resurveys of interest because of the unusual features involved were those of the following townships:

Independent Resurvey of T. 7 S., R. 100 W., 6th P. M., Group 106, Colorado.--In this township, as in the several other townships authorized under Group 186 in the oil shale district of Colorado, probably the most difficult resurvey problem presented was the determination of proper limiting boundaries, due to the fact that in the original surveys the subdivisional lines were executed many years after the township boundaries had been established and apparently without regard thereto. Other interesting features not strictly pertaining to the survey of the township are the several instances in which suits have been instituted by the Government to annul patents obtained by fraud on the part of entrymen and the fact that many thousands of dollars have been recovered by the Government from timber trespassers in the township.

Independent Resurvey of T. 50 N., R. 12 E., N. M. P. M., Group 103, Colorado.--While this township was accepted on August 10, 1927, the reproduction and filing of the plats has been withheld pending the decision of the Department in the matter of the appeal by the owners of the majority of the alienated lands

in the township from the decision of this office in dismissing their protest against the resurvey. The decision of this office having been recently affirmed by the Department, the plats, which are now being photolithographed, will be filed in the regular course of business.

T. 45 N., R. 83 W., 6th P. M., Group 71, Wyoming. Independent Resurvey of the West Half, Dependent Resurvey of the East Half of the Township.--There is competent evidence that two general systems of properly marked but unrelated corners once existed in the western portion of the township where entries were located from both sets of corners. In the dependently resurveyed eastern half of the township one system of corners was adopted as authentic and the few identified corners of the second system repudiated as spurious.

T. 15 S., R. 4 E., S. B. M., Group 126, California. Independent and dependent resurvey.--A combination of irregular grant boundaries, original surveys executed by several different deputy surveyors with a resulting irrelation between those corners of the original surveys which have not been obliterated or lost, local surveyors' corners, some of which were set by improper methods, and adjudications by the local courts of boundary disputes between the owners of some of the patented lands, which decisions were given weight in the execution of the resurvey, presented a problem in this township which genuinely taxed the ingenuity of the Cadastral Engineering Service in reaching the satisfactory solution which was obtained by the resurvey.

Ts. 2 and 3 S., R. 37 E., N. M. P. M., Group 122, New Mexico.--Extension surveys to include lands erroneously returned in the original surveys as a meandered lake and which were subsequently found by the Department to be a bog or marsh containing valuable phosphate deposits. With the small amount of total water surface in New Mexico an extension survey of omitted lands in that State is indeed unusual.

Resurveys, Colorado.--An application for the resurvey of T. 9 S., R. 46 W., 6th P. M., Colorado, under the act of September 21, 1918, has been transmitted to this office by the Supervisor of Surveys. This township, which lies in the eastern part of the State near the town of Burlington, is entirely in private ownership, and the petitioners have deposited the entire estimated cost of the resurvey, in compliance with the regulations governing resurveys under this act. Field work will undoubtedly be undertaken during the coming field season.

Plat Reproduction.--The Bulletin is pleased to announce that the condition which has during recent months delayed the preparation and distribution of the photolithographic editions of the plats of township and mineral surveys has been largely overcome, and that shipments to the district offices should now go forward without any unusual delay. During the latter part of February more than 100 editions of mineral plats were forwarded to the various public survey offices, and it is expected that some 35 or 40 additional mineral editions will be available by March 15. Approximately 150 townships and special survey plats have recently been delivered to the contractor, and these editions should be ready for distribution in about 30 days.

M. 22507

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

February 1, 1928.

The Commissioner of the

General Land Office.

My dear Mr. Commissioner:

On May 12, 1927, you requested instructions (a) as to whether, since the approval of the act of January 25, 1927 (44 Stat. 1026), a State may "assign school section lands as base for indemnity selections by reason only of the mineral character of such school section lands" and (b) whether the provisions of the act of January 25, 1927, "supersede the provisions of the act of February 28, 1891 (26 Stat. 796), authorizing the selection of lands in lieu of school section lands mineral in character, so as to inhibit selection by and conveyance to the States of lands in lieu of school section lands granted by the later act."

The act of January 25, 1927, provided that, subject to certain exceptions "the several grants to the States, of numbered sections in place for the support or in aid of public schools be, and the same are hereby, extended to embrace numbered school sections, mineral in character * * *." Mineral lands of this character for which indemnity had been sought or received by the several States were excepted from the provisions of said act as were lands withdrawn or otherwise appropriated.

By subsection (b) of section 1 of the act of January 25, 1927, a specific method to be used in disposing of mineral lands granted thereunder was imposed as a condition subsequent to the grant, with a provision for forfeiture proceedings in cases of breach of this condition.

Section 2 of the act of January 25, 1927, is as follows:

"That nothing herein contained is intended or shall be held or construed to increase, diminish, or affect the rights of States under grants other than for the support of common or public schools by numbered school sections in place, and this act shall not apply to indemnity or lieu selections or exchanges or the right hereafter to select indemnity for numbered school sections in place lost to the State under the provisions of this or other acts, and all existing laws governing such grants and indemnity or lieu selections and exchanges are hereby continued in full force and effect."

The grant made by the act of January 25, 1927, was a grant in praesenti and, since section 1 of this act vested title in the State to all unappropriated, unreserved mineral school sections in place, for which a State had not been indemnified, and since the States were limited, under section 2 of said act, to

indemnity for mineral lands only where "lost to the State under this or other acts" it seems clear that a State may not, since the date of said act, assign school section lands as base for indemnity selections by reason only of the mineral character of such school section lands. They acquire title by virtue of the grant of January 25, 1927, and have no loss for which they may be indemnified. This disposes of your first inquiry.

The act of February 28, 1891, supra, extended to the States a right (which they were at liberty to exercise or forego) to surrender lands to which they had acquired title, where sections in place "are mineral lands or are included within any Indian, military, or other reservation, or are otherwise disposed of by the United States." The States making such surrenders were entitled to select and receive title to other lands of equal acreage in lieu thereof, each lieu selection to be a waiver of right to the base lands.

Examination of the school land grants made prior to February 28, 1891, and thereafter, disclose that exceptions from those grants were made wherever sections in place were "mineral land" or were "included within any Indian, military, or other reservation," or were "otherwise disposed of by the United States." It is apparent, therefore, that the purpose of the act of February 28, 1891, was to provide means whereby the United States could reacquire title to lands which, although acquired by the States, were of such kind or of such status as the grants contemplated should be withheld from said States.

It is provided in section 2 of the act of January 25, 1927, that "this act shall not apply to indemnity or lieu selections, or exchanges." This means that mineral lands may not be taken as indemnity or in lieu of surrendered or lost place lands. Said section further provides that "all existing laws governing lieu selections and exchanges are hereby continued in full force and effect."

The obvious purpose of this last provision is that the States shall not be deprived of any rights which they had under the preceding acts. It is equally clear that no added rights were intended to be conferred. It is also clear that the broad purpose of the act of January 25, 1927, when ascertained from all its provisions, was to vest in the several States, finally and irrevocably, full title to school sections in place wherever mineral values, known or potential, constituted the only bars to the operations of the previous grants made to said States. The reports, debates, and legislative history of said act support this view.

Prior to the act of January 25, 1927, a State could exchange mineral lands in school sections in place for other lands pursuant to the act of 1891, only in the comparatively small number of cases where mineral values became known after the effective date of the school land grants. Lands in place known to be mineral prior to such dates never became the properties of the States. United States v. Morrison (240 U.S. 192); United States v. Sweet (245 U.S. 563), and hence formed no bases for exchanges. On the other hand, the courts have held that a surrender by a State of a school section of a class contemplated by the act of February 28, 1891, followed by a formally correct lieu selection, was an exercise of an option given the State by the Congress, recognition of which was mandatory as to the Land Department. California v. Dozeret Water, etc. Co. (243 U.S. 415); Payne v. New Mexico (255 U.S. 367); Wyoming v. United States (255 U.S. 489).

It will readily be seen that, if every section of mineral land to which a State acquired title, by virtue of the act of January 25, 1927, may be used as base for an exchange under the act of 1891, that the later act has vastly enlarged the scope of the former, and that a State may elect to retain title to such mineral sections as it sees fit, and as to the remainder, may make exchanges which this Department must accept upon formally correct selection.

Under this view a State could seek exchanges for every acre acquired under the act of 1927, and instead of a simplification of the States' grants, and a speedy and final settlement of the question of States' titles to school sections in place, intended to be secured by the act of January 25, 1927, the adjudication of States' rights would be further projected into the future, and this purpose completely evaded.

The view that a State may exchange, under the act of 1891, mineral lands acquired under the act of 1927, is so plainly contrary to the intent and purposes of both acts as to be untenable, and in answer to your second inquiry I have to inform you that: A State may not make such a lieu selection, where mineral lands acquired by virtue of the act of January 25, 1927, are offered as the basis for the exchange.

It remains to consider the purpose and legal effect of the provision in section 2 of the act of January 25, 1927. "That existing laws governing lieu selections and exchanges are hereby continued in full force and effect" with relation to the prior rights of the State to make selections in lieu of numbered sections prescribed in the grant found in place which, since the date of attachment of the grant, have been found to be mineral in character but which were not known to be mineral at that date. As to such sections in the State's title attached as of agricultural lands, but the first proviso of section 2275, Revised Statutes, as amended in 1891, authorized the State to waive its right to such sections and to select other lands in lieu thereof. See California and Deseret Water Company, *supra*. But while this right of selection was accorded it was in the nature of an optional privilege in so far as the State was concerned and additional to anything found in the granting act. However phrased it was in the interest of the United States and to the end that a reinvestment of title might be effected with respect to lands which were not of the character intended to be granted. The Land Department had no authority to rule the State to an exercise of the option but was bound to honor it if an exchange otherwise regular was proffered by the State. Hence, it follows that in all cases where the State had made such proffer, the act of January 25, 1927, saves to it the right to have its selection completed. However, as to such selections as may have been proffered since the passage of said act, or which may hereafter be proffered, the case is different. No vested rights attach under a conditional privilege until such time as it is exercised, and until that time it may be taken away by competent authority. Hence, the question recurs as to the bearing and effect of the act of January 25, 1927, on this question. As has been already seen, the primary purpose of said act was to simplify administration of the State's school grant and to effect a final adjustment and settlement of questions of title arising thereunder. To this end a supplemental grant was made of mineral lands. Except by way of confirmation and further assurance of title, that act had no relation to and did not include mineral land so situated

for the conclusive reason that these sections did not belong to the United States. The State's title thereto had attached under prior laws. On the other hand, and in view of the policy of the act, the United States had no further interest in mineral lands that already belonged to the State. Congress so enlarged the grant as to include all mineral lands, and to now hold that the State may continue to release mineral lands belonging to it under a prior grant as bases for further selection imputes to the act of Congress an utterly absurd result. Further, as a matter of statutory construction based on the language employed in said section 2 of the act, it is noted that while it "shall not apply to indemnity lieu selections or exchanges" yet the only right of indemnity saved to the State is limited to "the right hereafter to select indemnity", for numbered school sections "lost to the State", and it follows that the further provision under consideration in that same section continues in full force and effect only laws governing "lieu selections and exchanges" to satisfy losses.

It should be remembered that lands subject to or included in any valid application, claim, or right, initiated or held under any of the existing laws of the United States are excluded from the provisions of said act of 1927 and the State may in proper cases have indemnity therefor. Of such would be a valid mineral location on lands of the sections originally granted known to be mineral at the date the grant would have otherwise attached. This because to that extent the location represents a loss to the State for which it is entitled to indemnity. But mineral lands, the title to which passed to the State under any law, are not lost and no indemnity or lieu-land right remains to be satisfied. A contrary holding would permit the State to make selections in lieu of mineral lands granted to it by the act of 1927, which would reopen the whole question of the known mineral character of lands at date of that act and the attachment of rights thereunder.

Very truly yours,

E. C. FINNEY,

First Assistant Secretary.

STATE SCHOOL SECTIONS - ACT OF JANUARY 25, 1927.

The following letter, dated February 7, 1928 (1248329), was in response to an inquiry concerning the effect of a coal withdrawal on the right of a State under the act of January 25, 1927 (44 Stat., 1026):

I have your letter of March 31, 1927, asking relative to Sec. 32, T. 17 N., R. 6 W., N. M. P. M., New Mexico, against which adverse proceedings were initiated charging coal character of the land, and the effect of the act of January 25, 1927, upon this school section.

It appears that hearing was had on the charges as to the coal character of the above school section, and that the Department on August 28, 1926, rendered a decision, holding the land to be known mineral land, and did not pass to the State under its grant of June 20, 1910, (36 Stat. 557, 561).

Circular No. 1114, issued March 15, 1927, pursuant to said act of January 25, 1927, provides that the additional grant made under said act applies to school section lands known to be of mineral character at the effective date thereof, and that determinations heretofore made by the Secretary of the Interior or the Commissioner of the General Land Office to the effect that lands in school sections were excepted from school-land grants because of their known mineral character do not, of themselves, prevent or affect in any way the vesting of title in the States pursuant to the provisions of the statute making the additional grant.

With regard to your query as to the effect of the coal withdrawal by Executive order of July 9, 1910, as to the above land, there being no other withdrawals, your attention is called to the departmental decision in 50 L. D., 516 in the George G. Fransden case, wherein it is held that a temporary withdrawal with a view to classification and appraisal of land for its coal content, such as the one above noted, does not constitute a "reservation" within the meaning of the enabling act granting school lands to the State of Utah. A mere coal withdrawal is not considered such a reservation as would except lands in school sections from the operation of the school-land grant to the State of New Mexico, under the enabling act or said act of January 25, 1927.

In due course proper action will be taken upon Sec. 32 mentioned, the case involving same and a considerable number of other designated school sections not having been formally closed.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: February 7, 1928.

E. C. FINNEY,

First Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 14, 1928.

To All Field Officers
of the General Land Office.

Sirs:

This office has been notified by the Department that on and after the 15th of February, 1928, invoicing of stationery supplies to the field services will be discontinued. The Department has also discontinued returning duplicate blank-form requisitions to the field offices for notation as to receipt of the forms.

In the future, therefore, only the original of all requisitions, both for stationery and for blank forms, will be forwarded to this office, the duplicate being kept in your files to check against when the supplies are received.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Amendment of Circular 340.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 29, 1928.

Register,

Sir:

In connection with the investigation of the improvements on stockraising homestead entries our inspectors need a copy of the final proof testimony of the claimant, but not of the witnesses. You will, therefore, arrange to furnish a copy of the claimant's testimony to the Division Inspector, either by having the proof taking officer make a carbon copy thereof or by having a copy made in your office. It is believed that in the great majority of cases the proof taking officer will furnish you with a carbon copy without additional expense to the claimant.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

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Circular No. 491.

The Alaska circular has been completely revised and will be reprinted under date of February 24, 1928. It will probably be two months or more before copies are available.

Circular No. 1141.

INSTRUCTIONS.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 14, 1928.

Registers,

United States Land Offices.

Sirs:

The attention of this office has been called to the fact that desert-land applications are often transmitted to the Division Inspector without evidence of water right attached. Your attention is accordingly directed to paragraphs 12 and 13, Circular No. 474 (50 L. D., 449-450), with the view that instructions contained therein shall be followed. The principal purpose of the field examination in connection with desert-land applications is to determine the sufficiency of the alleged water supply and the feasibility of the proposed plan of reclamation. No desert-land application should be forwarded to the Division Inspector until all evidence required in paragraphs 12 and 13, Circular No. 474, supra, shall have been furnished, and when forwarding an application for report, all papers filed by applicant should be attached thereto.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1142.

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UNITED STATES
 DEPARTMENT OF THE INTERIOR
 General Land Office
 Washington

February 25, 1928.

ACCOUNTS: Hearings Expenses.

Division Inspectors,
 Hearings Officers and
 Special Disbursing Agents.

Sirs:

Section 3 act of Congress approved April 26, 1926 (44 Stat. 323), read in connection with section 2 of the act of January 31, 1903 (32 Stat. 790), operates to give to witnesses in land hearings the same allowances in all States, \$2 per diem while in attendance at and in going to and returning from, mileage at 5 cents and, under circumstances stated, a per diem of \$3 in lieu of subsistence. Circulars Nos. 1075, 1117, and 1123 have called the matter to your attention but there is as yet a little lack of uniformity in these allowances.

The Interior appropriation act approved January 24, 1927 (44 Stat. 937) making appropriations for the fiscal year 1928, carries no appropriation, "Expenses of Hearings in Land Entries" as heretofore but provides for the same expenses under the title "General Expenses, General Land Office," under which title it is provided:

"That where depositions are taken for use in such hearings the fees of the officer taking them shall be 25 cents per folio for taking and certifying same and 5 cents per folio for each copy furnished to a party on request."

Hearings officers and division inspectors will please see that vouchers for services in taking depositions are prepared accordingly.

Very respectfully,

WILLIAM SPRY,
 Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

21628

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey of T. 41 N., R. 90 W., 6th P. M., Hot Springs County, Wyoming, will be officially filed in the district land office at Buffalo, Wyoming, on March 27, 1928, at 9 a. m.

For 91 days, beginning March 27, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Buffalo, Wyoming, during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on March 27, 1928. On June 26, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed: 23,024 acres by the original survey. The surface of this township is for the most part rolling mesa on part of the Lysite Mountain Range which forms the southeastern rim of the Big Horn Basin. The soil is shallow, vegetable loam with limestone and shale subsoil, and produces good native grass from the late spring and early summer. Most of the township is covered with a rather dense growth of sage brush. There is no timber except a few scattered scrubby pines. The township is well watered by creeks. The land is used for grazing purposes.

(775)
ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 18 S., R. 11 E., G. & S. R. M., Pima County, will be officially filed in the district land office at Phoenix, Arizona, on May 1, 1928, at 9 a. m.

This plat represents the completion survey of the township and covers Secs. 3, 4, 5, 8, and 9.

For 91 days, beginning May 1, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Phoenix, Arizona, during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on May 1, 1928. On July 31, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed, 3,146.89 acres. Land: rolling and rough mountainous. Soil: decomposed granite with a clay-like loam over bed rock. Timber: oak and juniper. There are prospect holes and other indications of past mineral activities but there were no mining operations in progress at the time of survey. This part of the township is principally used for grazing purposes. Many of the gulches contain a good supply of water in the winter months. The only water available in the summer is from a well in the NE $\frac{1}{4}$ of Sec. 10.

WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

The plats of resurvey of the following townships will be officially filed in the district land office at Buffalo, Wyoming, on March 7, 1928, at 9 a. m.:

- T. 41 N., R. 89 W., 6th P. M., Washakie County (mostly),
- T. 50 N., R. 88 W., 6th P. M., Big Horn County.

A portion of the land represented upon the plat of T. 50 N., R. 88 W., is included in the Big Horn National Forest.

For 91 days, beginning March 7, 1928, the unreserved lands represented upon the said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Buffalo, Wyoming, during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on March 7, 1928. On June 6, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 41 N., R. 89 W., 6th P. M., area 23,019.27 acres, according to the original survey. The surface is mostly rolling mountainous with a general northern slope from the Lysite Mountain Range which forms the southern rim of the Big Horn Basin. The soil is clay gravel and rocky and produces good native grass during the spring and early summer. The greater portion of the township is covered with a dense growth of sagebrush, and there is no timber except a few pines in Secs. 26 and 27, and there is little water in the township except in Bates Creek. The Lysite-No Wood Road traverses the township from southwest to northeast. Only one ranch is permanently occupied.

T. 50 N., R. 88 W., 6th P. M., area independently resurveyed 18,058.60 acres. Paint Rock Canyon, which has an average depth of about 900 feet, extends southwesterly from the east boundary of Sec. 13 to the SW $\frac{1}{4}$ Sec. 26, thence northwesterly to the west boundary of Sec. 20. South of Paint Rock Canyon the land is very rough and mountainous, while the land to the north thereof is rolling. The soil throughout the entire township is rocky and unfit for intensive cultivation. There is a heavy growth of pine timber in Secs. 1-3, 11-14 and Sec. 23. Scattering bunches of timber are found throughout the remainder of the township. Native grasses afford excellent grazing for stock. Paint Rock Creek and its tributaries and numerous springs in the northern portion of the township afford ample water for stock-watering purposes. No indication of mineral was noted.

(777)
OREGON:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 1,600 acres in Klamath County, Oregon, will be opened to homestead and desert-land entry, beginning March 16, 1928, for a period of 91 days to ex-service men of the World War subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men at the United States land office at Lakeview, Oregon, during the 20 days preceding that date or from February 25 to March 15, 1928, inclusive. All conflicts up to 9 a. m. March 16, 1928, will be decided by drawing. Any lands remaining unentered after the expiration of the 91-day period or beginning June 15, 1928, will be open to entry under any applicable public land law by the general public, and prospective applicants may present their applications within the 20 days preceding or beginning May 26, 1928, and all applications so filed will be treated as simultaneously filed.

The lands are in the neighborhood of the town of Lorella and no railroad appears to be in the vicinity. Available information indicates that the lands are mostly rough and mountainous covered with heavy timber with exception of some level prairie land in the western portion of T. 40 S., R. 14 E.

Since the lands are restored from reclamation withdrawal no water for irrigation purposes will be available from a Federal irrigation project.

EFFECTIVE DATES.

Preference period for ex-service men March 16 to June 14, 1928.

Soldiers' simultaneous filing period February 25 to March 15, 1928.

Lands open to general public June 15, 1928.

Simultaneous filing period for public May 26 to June 14, 1928.

(778)

WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey of T. 43 N., R. 91 W., 6th P. M., Hot Springs County, Wyoming, will be officially filed in the district land office at Buffalo, Wyoming, on April 27, 1928, at 9 a. m.

A portion of the land represented upon this plat is included in petroleum reserves.

For 91 days, beginning April 27, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Buffalo, Wyoming, during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on April 27, 1928. On July 27, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area independently resurveyed, 17,861.48 acres. Land: broken, mountainous, and hilly. Soil; alkali, bad land formation, third rate with very scanty vegetation. The township is used for winter grazing. There is no timber, no metallic mineral, or coal. There are four producing oil wells in the southeastern part of the township.

RECENT PROCLAMATIONS AND EXECUTIVE ORDERS.

By proclamation of January 10 certain lands in T. 20 N., R. 8 W., and T. 21 N., Rs. 11 and 12 W., N. M. P. M., were added to the Chaco National Monument in New Mexico.

Executive order of February 2 amends the description given in Executive order of March 28, 1917, reserving certain lands on the Island of Oahu, Territory of Hawaii, for military purposes.

By proclamation of February 3 the therein described area in the possession, use and control of the Territory of Hawaii, was declared and taken for the uses and purposes of the United States for light house purposes.

Under Executive order of February 11 a forty-acre tract of land in Idaho has been withdrawn for use by the Department of Commerce in the maintenance of air navigation facilities.

By Executive order of February 14 certain lands in T. 21 N., R. 86 W., 6th P. M., Wyoming, have been withdrawn in aid of legislation.

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OIL AND GAS ACTIVITIES.

During the month of February the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 361 new applications and 7,525 cases for reconsideration. Permits were granted on 337 applications, 94 cases were finally rejected in entirety and 189 in part, and 2 on drawings; 288 applications were rejected subject to appeal in entirety and 5 in part, and 21 appeals were transmitted to the Department; departmental decisions were promulgated in 35 cases, 32 affirming and 3 modifying decisions of this office; 86 assignments were disposed of and 361 applications for extensions of time were acted upon; 1,672 permits were held for cancellation and 848 permits were canceled; 414 cases were examined and Geological Survey reports called for; 2,927 cases are awaiting Survey reports and 16 awaiting Reclamation reports, and 507 new cases are awaiting reports from the Geological Survey. 5,409 letters were written, of which 222 were replies to inquiries.

Under the relief sections of the leasing act and other sections providing for oil and gas and oil shale leases, also under Red River relief act of March 4, 1923 (42 Stat., 1448), 9 leases involving 4 cases were delivered, 5 lease applications involving 1 case were submitted to the Department for approval, 7 leases involving 3 cases were submitted to the Department for execution, and 4 leases involving 2 cases were mailed for execution by lessees.

One lease application was transmitted to the Department recommending rejection, and 1 lease application was finally rejected by this office; 1 appeal from Geological Survey classification of defined oil structure was acted upon, and 1 report called for on application for reduction of royalty; departmental decision was promulgated in 1 case affirming this office; drilling relief under leases was recommended to the Department in 4 cases and approved in 6 cases; reduction of royalty applications were transmitted to the Department in 6 cases, approved in 1 case and rejected in 2 cases; 1 sales contract was rejected and 2 approved; 1 contract for the sale of royalty oil in Salt Creek oil field was approved, and 1 contract for sale of royalty oil in the Cat Creek oil field is pending in the Department for approval; 1 drilling contract was rejected and 1 protest dismissed. 107 letters were written, of which 37 were replies to inquiries.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of January were \$589,874.74, all from lands outside of naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF JANUARY, 1928.

Office.	Business of current month.					Pending at end of month.		
	Applications, proofs, etc., received.	Receipts and final certificates issued and miscellaneous.	General Land Office letters received.	Contest cases initiated.	Total.	Pending designation.	Suspended, rejected, or otherwise.	Pending unacted on by Register
Arizona								
Phoenix	251	940	220	20	1,431	99	108	
Arkansas								
Little Rock	87	807	32	7	933		60	
California								
Los Angeles	216	957	137	15	1,325	76	148	
Sacramento	200	1,418	177	17	1,812	178	188	
Colorado								
Denver	190	1,623	264	11	2,088	249	601	
Pueblo	105	836	120	3	1,064	82	95	
Florida								
Gainesville	100	854	131	9	1,094		83	
Idaho								
Blackfoot	183	966	87	7	1,243	167	207	10
Coeur d'Alene	18	197	29		244	6	15	
Minnesota								
Cass Lake	39	402	46	2	489		32	
Montana								
Billings	131	2,108	567	18	2,824	138	126	
Great Falls	217	1,903	624	7	2,751	118	275	
Nebraska								
Alliance	19	205	25		249	21	2	
Nevada								
Carson City	45	704	115	2	866	52	78	
New Mexico								
Las Cruces	401	1,595	310	10	2,316	61	379	
Santa Fe	279	1,286	349	18	1,932	100	244	
North Dakota								
Bismarck	16	414	27	1	458	13	34	
Oregon								
Lakeview	11	132	39		182	37	53	4
Roseburg	52	741	56	2	851		46	
The Dalles	38	661	65	3	767	84	32	

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF JANUARY, 1928 (Continued).

South Dakota	48	608	64	3	723	64	41
Pierre							
Utah	198	1,400	452	17	2,067	275	324
Salt Lake City							
Washington	66	719	37	1	823	20	64
Spokane							
Wyoming	154	1,111	276	7	1,548	123	158
Buffalo	255	1,322	373	15	1,965	167	216
Cheyenne	171	836	153		1,160	63	159
Evanston							
Total	3,490	24,745	4,775	195	33,205	2,193	3,768
							14

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs, in the public land service, which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE BULLETIN

DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12

April 1, 1928.

No. 2.

OREGON AND CALIFORNIA TAX UNIT.

Report for the month of March and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

Claims received during month (1927)	(2)	\$87,492.38
Total claims received (1927)	(4)	251,545.08
Claims certified during month (1927)	(1)	2,606.88
Disallowance in above	--	22.99
Claims pending (1927)	(3)	248,915.21
Total claims received (1926) all	(18)	691,183.62
Claims certified during month (1926)	(1)	19,328.26
Disallowances in above	--	2,531.50
Total claims certified (1926)	(17)	658,723.79
Disallowance in above	--	28,013.25
Additional allowance 1 claim (1926)	--	904.96
Net certification (1926)	--	659,628.75
Net disallowances (1926)	--	27,108.29
Total claims received (1916-1925) all	(19)	6,741,466.94
Total claims certified (1916-1925) all	(19)	6,311,147.23
Disallowances in above	--	430,319.71

SURVEY NOTES.

Forest Program.--During recent years the surveying service of the General Land Office has undertaken cooperative surveys and resurveys in National Forests throughout the public domain in behalf of the Forest Service. The administrative needs of that Service have evidently been satisfactorily met, as is indicated by the increased scope of the cooperative work since the initiation of the plan in 1925. Some 95 townships in 15 States and the Territory of Alaska were completed last year, and in addition in, 25 townships field work was initiated but has not been completed.

The Supervisor of Surveys has recently transmitted the following list of townships lying wholly or partly within the National Forests, which have been completed during the year 1927 under the current Forest program:

Alaska: T. 61 S., R. 79 E.; T. 61 S., R. 80 E.; T. 62 S., R. 80 E.; Ketchikan, Juneau and Sitka Eliminations.

Arizona: T. 35 N., R. 1 E.; T. 35 N., R. 2 E.; T. 13 N., R. 3 E.; T. 14 N. R. 4 E.; T. 2 S., R. 11 E.; T. 2 S., R. 12 E.; T. 3 S., R. 12 E.; T. 11 S., R. 16 E.; T. 23 S., R. 18 E.; T. 23 S., R. 19 E.; T. 4 S., R. 31 E.; T. 12 $\frac{1}{2}$ N., R. 3 W.; Grand Canyon National Park boundaries through Ts. 30 N., Rs. 4, 5, and 6 E.; Ts. 3 and 32 N., R. 6 E.; and T. 32 N., Rs. 2 and 3 W.; T. 15 N., R. 3 W.

California: T. 1 S., R. 2 E.; T. 2 N., R. 11 W.; T. 6 N., R. 20 W.; T. 9 N. R. 24 W., S. B. M.; T. 39 N., R. 1 E.; T. 25 N., R. 2 E.; T. 30 N., R. 7 E.; T. 40 N., R. 1 W.; T. 41 N., R. 3 W.; T. 37 N., R. 7 W.; T. 34 N., R. 8 W.

Colorado: T. 50 N., R. 4 E.; T. 48 N., R. 4 E.; T. 48 N., R. 5 E.; T. 36 N. R. 12 W. (examination); T. 50 N., R. 17 W., N. M. P. M., T. 1 S., R. 71 W., 6th P. M.

Florida: T. 15 S., R. 25 $\frac{1}{2}$ E.; T. 14 S., R. 26 E.; T. 15 S., R. 26 E., Tall M.

Idaho: T. 14 N., R. 45 E.; T. 14 N., R. 38 E.; T. 14 N., R. 37 E.; T. 20 N. R. 25 E.; T. 21 N., R. 25 E.; T. 21 N., R. 24 E.; T. 22 N., R. 24 E.; T. 34 N., R. 7 E.; T. 47 N., R. 7 E.; T. 45 N., R. 9 E.; T. 3 N., R. 6 E.; T. 3 N., R. 11 E.; T. 4 N., R. 9 E.; T. 5 N., R. 10 E.; T. 11 S., R. 38 E.; T. 5 S., R. 46 E.; T. 4 S. R. 46 E.; T. 3 S., R. 46 E.; T. 2 S., R. 46 E.; T. 8 S., R. 42 E.; T. 8 S., R. 43 E.

Michigan: T. 24 N., R. 6 E.; T. 24 N., R. 7 E., Mich. M.

Minnesota: T. 147 N., R. 27 W., 5th P. M.

Montana: T. 13 N., R. 10 E.; T. 14 N., R. 10 E.; T. 11 N., R. 13 E.; T. 7 N., R. 11 W., P. M.

Nevada: T. 32 N., R. 58 E.; T. 32 N., R. 59 E., M. D. M.

New Mexico: T. 19 N., R. 1 E.; T. 19 N., R. 2 E.; T. 19 N., R. 3 E.; T. 18 N., R. 3 E.; T. 20 N., R. 6 E.; T. 19 N., R. 7 E.; T. 20 N., R. 7 E.; T. 11 S., R. 13 E.; T. 11 S., R. 11 W.; T. 11 S., R. 12 W.; T. 5 S., R. 19 W.

Oregon: T. 24 S., R. 2 E.; T. 28 S., R. 2 E.; T. 29 S., R. 3 E.; T. 1 S., R. 7 E.; T. 4 S., R. 8 E.; T. 37 S., R. 11 W.

South Dakota: T. 2 S., R. 4 E.; T. 2 S., R. 5 E.; T. 2 S., R. 6 E.

Utah: T. 1 S., R. 2 E.; T. 14 S., R. 7 E.; T. 3 S., R. 8 E.; T. 9 S., R. 8 E.; T. 3 S., R. 9 E.; T. 4 S., R. 9 E.; T. 36 S., R. 8 W.

Washington: T. 31 N., R. 10 E.; T. 31 N., R. 11 E.

Wyoming: T. 53 N., R. 62 W. (examination); T. 53 N., R. 63 W. (examination); T. 32 N., R. 106 W.; west boundary Shoshone Indian Reservation.

In addition to the foregoing, field work has been commenced but not completed in 25 townships in the various States above listed.

Survey of lot in Pensacola, Florida.--Special instructions, designated No. 64, Florida, have recently been approved, providing for the identification and survey of a lot in the town of Pensacola under the provisions of the act of June 12, 1925 (43 Stat., 738). This act authorizes the Secretary of the Interior to determine and confirm by patent in the nature of a deed of quit claim to the titles to lots in Pensacola, Florida, to those persons, firms, or corporations submitting satisfactory evidence of being in possession and of a chain of title, legal or equitable, beginning more than 20 years prior to the passage of this act.

The city of Pensacola was surveyed by James W. Exum in 1827, and the original titles to the lots within the city are based upon the plat of this survey. This plat is rather incomplete, for certain areas shown upon it have not been subdivided and are not designated with areas, block, or lot numbers. At the present time it appears that local titles are based upon a plat of survey made by Thomas C. Watson which is inconsistent with the plat of the Exum survey.

The surveying problem involved is to reestablish the lines of the old Exum survey, made over 100 years ago and which has been disregarded in favor of a local survey inconsistent with it. It is apparent that the field work is quite likely to involve considerable search for evidences of the original survey.

Surveys, Group 139, Arizona.--Among surveys recently accepted were those of T. 36 N., R. 5 E.; Ts. 37 N., Rs. 1 and 5 E.; T. 38 N., R. 4 E.; Ts. 40 N., Rs. 6 and 7 E., and T. 41 N., R. 7 E., G. & S. R. N. & M., Group 139, Arizona, lying partially on the Paria Plateau and partially in the Marble Canyon of the Colorado River. With the exception of T. 40 N., R. 7 E., the surveys were discontinued at the canyon rim without attempting to produce the lines over the precipitous canyon walls which average more than 2,000 feet in height. In T. 40 N., R. 7 E., however, the survey of the township was completed in spite of the formidable natural obstacles presented by the Vermilion Cliffs and the walls of Marble Canyon. From the field notes it is apparent that the surveyors were required to exercise every

ingenuity in accomplishing the competent measurement and monumentation of the line of the survey of this township in accordance with the Manual requirements.

Ancient Ruins.--Among the acceptances of the past month were resurveys of several fragmentary townships in northwestern Colorado including Ts. 6 N., Rs. 102 and 103 W., 6th P. M. This is reported as an extremely rough and rugged country abounding in sandstone cliffs, many of which are impassable. In the latter township the engineer reports the discovery of ancient ruins in a sandstone cave, indicating occupancy by a prehistoric race. This cave is reported as having a length of about 550 feet and a height of 100 feet, located in a sandstone cliff 300 feet high.

Manual.--It will be of interest to the Service generally to learn that excellent progress is being made toward the completion of the remaining chapters of the Manual of Instructions for the Survey of the Public Lands of the United States. Chapter 9, dealing with plat construction, is ready for reproduction, and arrangements have been made for photolithographing and printing the text and the related drawings. It is thought that the advance edition of this chapter will be ready for distribution in about 30 days. Chapter 8, on the subject of field notes, has been completed and awaits final revision and editing only. Chapter 10, which deals with the subject of mineral surveys, is being prepared in the office of the Supervisor of Surveys at Denver, Colorado, and recent advices from Mr. Johnson indicate that excellent progress is being made. We understand that the rough draft of this chapter has already been completed. The only remaining chapter (Chapter 7) is in course of preparation, and already the drawings which are to accompany it have been completed. The text is still in course of preparation, but inasmuch as the field of miscellaneous surveys covered by this chapter is very broad, further work will be necessary before it is ready for publication.

Circular No. 1143.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 22, 1928.

TRAVEL ORDERS.

Approving Officers,

and Special Disbursing Agents.

Sirs:

Hereafter travel expense vouchers of Inspectors, Division Inspectors, District Cadastral Engineers, or others relying on general instructions as authority to travel, will bear a notation to the effect that travel within the division or district is authorized by paragraph 244, Circular No. 616, amended by Circular No. 762, and such notation as will define the division or district within the limits of which such travel is authorized. Until rubber stamps are provided for the purpose the blank space for citing authority may be made to read: "Under authority of paragraph 244, Circular No. 616, amended by Circular No. 762, for travel within his district (or division)" followed by the names of States or otherwise, descriptive thereof.

Very respectfully,

THOS. C. HAVELL,

Approved: March 22, 1928.

Acting Commissioner.

E. C. FINNEY,

First Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(779)

UTAH:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Eighty acres in Garfield County, Salt Lake City land district, opened to entry only under the homestead or desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning April 6, 1928. Applications of ex-service men may be presented at the United States land office at Salt Lake City, Utah, at any time within 20 days prior to that date. On and after July 6, 1928, if the land is unentered, it will be subject to appropriation under any public land law applicable thereto by the general public.

The lands were released from stock driveway withdrawal, and further information may be obtained from the United States land office at Salt Lake City, Utah.

Approved: March 13, 1928.

THOS. C. HAVELL,

Acting Commissioner.

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(780)

WASHINGTON:

OPENED TO ENTRY.

By order of the Interior Department of March 6, 1928, 440 acres of land within the S $\frac{1}{2}$ of the former Colville Indian Reservation, Washington, were made subject to entry. The tracts were formerly embraced in Indian allotments which were canceled by the Department on September 24, 1920.

The lands will be opened to homestead entry under the homestead laws and the act of March 22, 1906 (34 Stat. 80), beginning April 3, 1928, for a period of 91 days, to honorably discharged ex-service men of the World War. Applications may be filed in the United States district land office at Spokane, Washington, by such ex-service men during the 20 days preceding that date, or from March 14, 1928 to April 2, 1928, inclusive. Any lands remaining unentered after the expiration of the 91-day period, or beginning July 3, 1928, will be subject to entry by the general public. Prospective applicants may present their applications within the 20 days preceding that date, or beginning June 13, 1928, and all applications so filed will be treated as though filed simultaneously.

(781)
ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey of T. 16 N., R. 4 W., G. & S. R. M., Yavapai County, Arizona, will be officially filed in the district land office at Phoenix on May 15, 1928, at 9 a. m.

A portion of the land represented upon this plat is included in the Prescott National Forest.

For 91 days, beginning May 15, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Phoenix during the 20-day period immediately preceding the filing of the plat and all applications so filed will be treated as though simultaneously filed at 9 a. m. on May 15, 1928. On August 14, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area by original survey 22,980.58 acres. The township consists of level valleys, rolling and mountainous land. The soil is a dark, sandy loam in the valleys, and rocky and gravelly in the rolling and rougher portions. The area is drained by several large washes. The western portion of the township is timbered with cedar, juniper, and oak. There are no permanent springs or living water in the township. There are 9 settlers residing in the township, one each in Secs. 2, 11, 12, 16, and 22, and two each in Secs. 14 and 15. Stock raising is the principal occupation of the settlers.

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(782)
ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of T. 39 N., R. 6 E., all except E $\frac{1}{2}$ of Sec. 36, and T. 40 N., R. 3 E., Sec. 34, only, G. & S. R. M., Coconino County, Arizona, will be officially filed in the district land office at Phoenix on May 15, 1928, at 9 a. m.

Portions of the land represented upon these plats are included in public water reserves.

For 91 days, beginning May 15, 1928, the unreserved lands represented upon the said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Phoenix during the 20-day period immediately preceding the filing of the plats and all applications so filed will be treated as though simultaneously filed at 9 a. m.

on May 15, 1928. On August 14, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 39 N., R. 6 E.--This township contains 22,656.64 acres and embraces every variety of land from level bench and mesa land to rough mountainous. The Vermilion Cliffs rise almost perpendicular to a height of 1,000 to 1,500 feet and form an almost unbroken barrier extending through the township in a southwest direction, dividing its area into two almost equal parts. The part lying to the north and west of those cliffs comprises a high plateau region. South and east of the cliffs it is broken and mountainous, traversed by high mountain spurs, impassable cliffs, and box canyons.

The township is watered by small streams flowing into Bedger Creek in the northeast portion and by Soap Creek in the central and southeastern parts.

The township is timbered over the plateau region with a good growth of cedar and pinyon and some yellow pine. South of the cliffs the land is devoid of timber.

The road from Lee's Ferry to Kanab, Utah, crosses the southeastern part of the township.

Small areas supply a fair growth of different varieties of grasses which adapt the township as a whole to grazing purposes.

Sec. 34, T. 40 N., R. 3 E.--The land in the eastern part is rough and hilly; the western part, which lies in House Rock Valley, is almost level. The soil over the entire section is very sandy. The eastern or hilly part supplies a scattering growth of cedar and pinyon timber.

Four springs, the largest of which is known as "Two-Mile Spring," are located in the southeast quarter of the section. A stone house, stock corrals and reservoir, property of the Arizona Cattle Company, are also located in this part of the section.

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(783)

LOUISIANA;:

NOTICE OF FILING OF PLAT OF SURVEY.

Notice is hereby given that the supplemental plat of survey of Sec. 1, T. 10 N., R. 5 E., Sec. 6, T. 10 N., R. 6 E., Sec. 36, T. 11 N., R. 5 E., and Sec. 31, T. 11 N., R. 6 E., La. M., Catahoula Parish, will be officially filed in the General Land Office, Washington, D. C., at 9 a. m., on May 22, 1928. The following public lands, aggregating 129.55 acres, are shown on this plat:

Lots 4, 5, 6, and 7, Sec. 36, T. 11 N., R. 5 E.

Lots 6, 7, 8, and 9, Sec. 31, T. 11 N., R. 6 E.

Lot 8, Sec. 6, T. 10 N., R. 6 E.

From May 22, 1928, at 9 a. m., to August 20, 1928, both dates inclusive, the said lands will be opened to preferred right of entry under the homestead laws of the United States at the General Land Office, Washington, D. C., by qualified former service men of the World War and by those persons having valid existing rights or equitable claims subject to allowance and confirmation.

These persons may file their applications beginning at 9 a. m., on May 2, 1928, and all applications received between the dates of May 2, 1928 and May 21, 1928, both dates inclusive, will be considered as though filed simultaneously at 9 a. m., on May 22, 1928. Conflicting applications filed by soldiers which are not otherwise in conflict will be disposed of by lot.

Persons having valid existing rights or equitable claims may avoid confusion by asserting such rights between the dates of May 2 and May 21, 1928, but they are not required to do so.

At 9 a. m., on August 21, 1928, the said lands or any part thereof which may be unreserved or unappropriated will become subject to entry under any applicable public land law by the public generally. Applications upon the part of the general public may be filed beginning at 9 a. m., on August 1, 1928, and all applications received between August 1, 1928 and August 20, 1928, both dates inclusive, will be treated as though filed simultaneously at 9 a. m., on August 21, 1928. Conflicting applications will be disposed of by lot.

Ex-service men should file certified copies of their certificates of discharge with their applications for entry and persons claiming other preference rights should file affidavits in support of their claims with their applications for entry.

Blank application forms may be obtained by addressing the Commissioner of the General Land Office, Washington, D. C., where all applications for entry must be filed.

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RECENT PROCLAMATIONS AND EXECUTIVE ORDERS.

The trust period on allotments to the Indians on the Oakland Reservation in Oklahoma, which would have expired in 1928, has been extended for ten years by order of February 25.

Certain lands of the United States in the district of Puna, Island of Kauai, Territory of Hawaii, required for public purposes has been transferred to the Territory of Hawaii by proclamation of February 27.

By order of February 29, ten islands on the southern coast of Alaska, under the jurisdiction of the Department of Agriculture by the act of May 31, 1920 (41 Stat. 716), were turned over to the control of the Department of the Interior.

By order of February 29, certain lands on Petit Jean Mountain, Arkansas, have been withdrawn pending classification and legislation.

Under orders of March 12, the public lands in T. 36 N., R. 12 W., and in Secs. 1, 12, 13, 24, 25, and 36, T. 36 N., R. 13 W., N. M. P. M., Colorado, and in Ts. 6 S., Rs. 5, 6, 7, 8, and 9 E., and T. 7 S., Rs. 5, 6, and 7 E., G. & S. R. M., Arizona, are withdrawn pending resurvey of said townships.

By order of March 17, previous Executive orders creating the Mosquito Inlet Bird Reservation in T. 15 S., R. 33 E., T. 16 S., Rs. 33 and 34 E., T. 17 S., R. 34 E., Tallahassee Mer., Florida, have been revoked.

By order of March 22, two small tracts of unsurveyed land in Alaska were excluded from the Tongass National Forest and reserved for townsite purposes.

By order of March 26, a tract of 32.42 acres in Sec. 7, T. 35 S., R. 11 W., W. M., Oregon, near the Siskiyou National Forest has been withdrawn for use by the Forest Service as a ranged station.

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PUBLIC PARK AND COMMUNITY CENTER.

Five acres of land described as the $N\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 21, T. 22 N., R. 2 W., P. M., Montana, were set apart under the act of October 5, 1914 (38 Stat. 727), by departmental order of March 3, 1928, and reserved for a public park, playground, and community center. The tract is within the Sun River Federal Irrigation Project and the Greenfields Irrigation District, the commissioners of which district requested the reservation in order that the area may be utilized as a community center for the benefit of the settlers.

OIL AND GAS ACTIVITIES.

During the month of March the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 483 new applications, an increase of 122 over last month, and 5,990 old cases for consideration. Permits were granted on 417 applications, 74 applications were finally rejected and 216 finally rejected in part and 199 finally rejected on drawings; 347 applications were rejected in entirety subject to appeal and 9 in part, and 13 appeals were transmitted to the Department; departmental decisions were promulgated in 12 cases, 8 affirming, 1 reversing and 4 modifying decisions of this office; 58 assignments were disposed of; 407 applications for extensions of time were acted upon; 395 permits were held for cancellation, and 1,152 were canceled; 605 cases were examined and Geological Survey reports requested; 1,847 cases are awaiting Survey reports and 17 Reclamation Bureau reports, and 667 new cases are awaiting Survey reports. 4,426 letters were written, of which 210 were replies to inquiries.

Under the relief sections of the act and other sections providing for issuance of oil and gas and oil shale leases, also leases and permits under the Red River relief act of March 4, 1923 (42 Stat., 1448), 3 leases involving 2 cases were transmitted to the Secretary for authorization, 7 leases involving 2 cases were mailed for execution by the lessees, 4 leases involving 3 cases were forwarded to the Secretary for execution, and 1 executed lease was delivered to the lessee. Two oil and gas lease applications were finally rejected, and 1 oil shale lease application; 3 reports were called for from the Geological Survey on drilling operations and applications for reduction of royalty in leases; 5 drilling relief applications were acted upon; 5 sales contracts were disposed of; 1 application for reduction of royalty was denied by the Department; 1 application for leases rejected subject to appeal; 2 applications for reduction of royalty rejected by this office; 2 operating contracts involving 1 case were acted upon, and 3 miscellaneous applications disposed of. 115 letters were written, of which 44 were replies to inquiries.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of February were \$748,542.39, all from lands outside of naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF FEBRUARY, 1923.

Office.	Business of current month.					Pending at end of month.	
	Applications, Receipts and proofs, etc., received.	General Land Office letters received.	Contest cases initiated.	Total.	Pending designations or otherwise.	Suspended, rejected, or otherwise.	Pending unacted on by Register
Arizona							
Phoenix	339	1,026	14	1,729	113	136	
Arkansas							
Little Rock	89	814	4	933		67	
California							
Los Angeles	232	1,003	28	1,340	80	154	
Sacramento	104	1,345	13	2,023	189	173	
Colorado							
Denver	151	1,749	7	2,449	260	553	
Pueblo	102	870	12	1,199	55	133	
Florida							
Gainesville	26	510	6	604		69	
Idaho							
Blackfoot	168	826	4	1,052	289	94	7
Coeur d'Alene	16	203		231	8	13	
Minnesota							
Cass Lake	36	407		485		26	
Montana							
Billings	150	1,763	8	2,103	147	148	
Great Falls	206	1,697	6	2,314	109	285	
Nebraska							
Alliance	27	264		325	25	3	
Nevada							
Carson City	35	630	4	789	50	75	
New Mexico							
Las Cruces	402	1,213	10	1,970	83	407	
Santa Fe	264	1,560	18	2,094	126	251	
North Dakota							
Bismarck	9	448	1	499	9	32	
Oregon							
Lakeview	25	173	1	257	37	53	
Roseburg	67	844	3	998	4	44	
The Dalles	64	640	2	769	90	36	

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF FEBRUARY, 1928 (Cont'd.)

South Dakota	41	768	65	5	879	38	47
Pierre							
Utah	213	1,408	356	15	1,992	299	298
Salt Lake City							
Washington	34	686	62		782	24	60
Spokane							
Wyoming							
Buffalo	152	1,018	190	4	1,364	140	147
Cheyenne	313	1,383	416	36	2,148	180	223
Evanston	136	775	127		1,038	66	168
Total	3,401	24,023	4,741	201	32,366	2,421	3,700
							7

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs, in the public land service, which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE BULLETIN

DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12

May 1, 1928

No. 3.

OREGON AND CALIFORNIA TAX UNIT.

Report for the month of April and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

Claims received during month (year 1927)	(1)	\$7,766.04
Total claims received (1927)	(5)	259,491.12
Claims certified during month (1927)	(3)	246,966.31
Disallowance in above	--	128.90
Total claims certified (1927)	(4)	251,573.19
Disallowance in above	--	151.89
Claim pending (1927)	(1)	7,766.04
Additional allowance (1926)	(1)	20.34
Additional allowance (1916-1925)	(1)	21.00
Total claims certified (1926)	(17)	659,649.09
Total claims certified (1916-1925)	(19)	6,311,168.23
Total disallowances (1926)	--	27,087.95
Total disallowances (1916-1925)	--	430,298.71

SURVEY NOTES.

Sespe Hot Springs.--Among the acceptances of the past month was the resurvey of a portion of T. 6 N., R. 20 W., S. B. M., California, in which township is located a natural feature of more than ordinary interest, the Sespe Hot Springs. The principal spring is described as an eruption of boiling hot water pouring out of a hole in a nearly perpendicular cliff of rock and forming a stream about 3 feet wide and 4 inches deep. The water is impregnated with minerals and is claimed to have high curative value. Considerable money has been spent in the development of the springs and surrounding land.

Cooperative Surveys, Geological Survey.--This office has recently accepted the dependent resurveys of portions of Ts. 8 S., Rs. 42 and 43 E., B.M., Idaho, executed at the request of the Director of the Geological Survey, dated April 1, 1927, for the identification or reestablishment of the corners of the original survey in the area in order to permit the accurate location of underground workings in the phosphate mines being operated on the lands under a lease granted pursuant to the provisions of the act of February 25, 1920 (41 Stat. 437).

Resurveys in Wyoming.--A comprehensive program of resurveys consisting largely of townships authorized for resurvey under the act of May 29, 1908 (35 Stat. 465), is planned for the coming field season. A block of 15 townships approximately 50 miles east of Thermopolis will be examined with a view to early resurvey. Seven townships in the southwestern part of the State will be resurveyed as soon as possible. The Forest Service has requested the resurvey of 4 townships in the Black Hills National Forest, and this work will also be undertaken during the coming summer.

Island Survey.--The survey of Rogers Island situated in the Big Popo Agie River, in Secs. 35 and 36, T. 34 N., R. 99 W., 6th P. M., Wyoming, was accepted March 27, 1928. This survey is of particular interest, for numerous questions relative to the conditions existing at the date of the original survey have to be considered when river boundaries are involved. In this case it was necessary to determine the main channel of the river as it existed in 1875 when the left bank of the river was meandered, for at that date the main channel was the south boundary of the Wind River Indian Reservation. The survey south of the river was executed in 1877, and at that date the channel meandered was not the same channel that was meandered in 1875. Before the survey was executed it was also necessary to determine from the facts on the ground whether or not the island existed as a well-defined body of land at the date of the original survey, and in 1890 when Wyoming was admitted into the Union.

STATE MAPS.

The revision of the State map of Minnesota has been completed and the manuscript copy will be delivered to the contractor for photolithographing and printing in the near future. It is expected that the new map of the north half of the State of California will be completed and ready for printing before July 1st., and thereafter the completion of the map of the south half of the State will follow with a view to its publication at as early a date as practicable. In addition, it will be of interest to the Service to learn that the Commissioner has recently authorized the preparation of a new map of the State of Nevada. This will be an entirely new compilation based upon the Lambert projection with all cadastral, topographic and political data brought up to date. The last edition of the map of this State was issued in 1914, and during the 14 years which have elapsed since its publication, the extension of the public land surveys throughout the State has been so considerable as to justify a new edition.

EASTERN SURVEYING DISTRICT.

St. Marks Townsite, Florida.--The resurvey of the boundaries and re-subdivision of the public land lots within the townsite of St. Marks, Florida, in T. 4 S., R. 1 E., Tall. Mer., was accepted under date of April 10, 1928.

This townsite was created by the Act of March 2, 1833, and the original survey was approved in 1842. Of the town lots shown on the original plat, 44 have not been disposed of and owing to obliteration of the corners of the original survey and disregard of the townsite plan in making the improvements in the area, it was necessary to resurvey and resubdivide the townsite in order to identify the public lands.

The present survey has been so executed as to protect the previously patented areas and affords a proper description for the public land lots.

The act of March 9, 1928 (Public No. 121), authorizes the re-appraisal and sale of the remaining public lands within the townsite.

Forest Resurveys, Florida.--Field work under Group No. 59, Florida, embracing three townships within the Ocala National Forest, Florida, has been completed during the month of April.

The townships included in the present seasons work, namely T. 13 S., R. 25 E., and Ts. 16 S., Rs. 25 and 26 E., together with the resurveys executed under Group No. 48, Florida, in 1927, include the greater portion of this comparatively small forest.

Minnesota, Wisconsin, and Michigan Surveys.--The field program for the coming summer in Minnesota, Wisconsin, and Michigan will involve resurveys within National Forests in Minnesota and Michigan under the cooperative plan now in effect; resurveys and allotment surveys within the Leech Lake Indian Reservation, Minnesota, and numerous fragmentary surveys and examinations in Minnesota, Wisconsin, and Michigan. The authorized field work in these States insures a very active field season.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of the Secretary
Washington

April 25, 1928.

Messrs. Long, Chamberlain and Nyce,
National Press Building,
Washington, D. C.

Gentlemen:

I have before me your letter of April 2, asking how section 27 of the leasing act of February 25, 1920 (41 Stat. 437), as amended by the act of April 30, 1926 (44 Stat. 373), is to be construed in certain particulars. You inclose a form of an operating agreement in the following respects:

(a) Does the form of operating agreement inclosed amount to an assignment of permit so as to require approval of the Department of the Interior prior to discovery?

(b) Can one person hold 2,560 acres or less on the same structure and 7,680 acres or less in any one State under an operating agreement, such as the form inclosed, without submitting such contract or contracts for approval?

(c) Can one person hold acreage under an operating agreement on a form such as the one inclosed, in excess of 2,560 acres on the same structure and in excess of 7,680 acres in any one State?

(d) If operating contracts of this character are entered into with a number of permittees, granting to such operators acreage in excess of 2,560 acres on one structure or 7,680 acres in one State, when discovery is made, or any time prior thereto or thereafter, can such operator divest himself of the excess acreage either by release or sale and secure a maximum holding of 2,560 acres on one structure or 7,680 acres in any one State?

(e) Assuming that operating agreements substantially in the form of the one inclosed amount to equitable assignments of permits or lease, or interest therein, if there be a limit as to the amount of acreage which can be held thereunder, will the holding of excess acreage under such operating agreements amount to a conspiracy to defraud the United States of its public lands within the provisions of the Criminal Statutes of the United States?

From the beginning the Department has recognized that a drilling or operating agreement with a permit holder may in effect be an assignment of the permit, or of an interest therein. In its regulations of March 11, 1920, under the leasing act (Circular No. 672, 47 L. D. 437, 471), it is stated:

A drilling contract carrying with it a right in the proceeds, or in the land itself, will be considered an interest in the lease, and when it comes time to grant a lease such drilling contractor will have to show himself qualified to take a lease. In all cases where the drilling is performed under contract the nature and terms of the contract must be disclosed before lease is granted.

In this connection see also the opinions of October 21, 1925 (51 L. D. 241), and December 15, 1925 (51 L. D. 308).

Under the form of operating agreement submitted the operator is given full control of the permit and there is merely a reservation of an unspecified royalty interest to the permittee. If such an agreement were submitted to the Department for approval it would in all probability be considered an assignment of the permit involved. But even though a drilling agreement may be such as to amount to an assignment of the permit, that does not mean that the operator must be charged with the acreage of the permit. In the regulations referred to (47 L. D. 471), it is further stated:

If a contractor desires to be recognized by the Department in connection with a permit, it will be necessary for him to file his contract for approval; but if he so desire he may explore the land under contract with the permittee and bring his contract to the attention of the Department only when and if he wishes to be recognized as being interested in such lease as may be applied for.

Almost similar language is used in Circular No. 1073 (51 L. D. 475, 477), cited by you.

In an unreported opinion dated October 14, 1924, referred to in the opinion of December 15, 1925, the Department said:

Where one contracts with respect to a prospecting permit, the Department does not take cognizance of the agreement or regard the contractor as having any interest in the permit. A contractor may, therefore, contract with any number of permittees, regardless of the acreage involved; but, when discoveries are made and leases are sought, will only be entitled to one lease in its own name upon a geologic structure, and will only be allowed indirect interests, i. e., as joint lessees, or the holders of royalty interests, in not to exceed 2,560 acres on a structure, or 7,680 acres in a State,

It was further stated in said opinion that the company in whose behalf the opinion was sought might contract with any number of permittees for lands on the same structure but would be limited in holdings on the structure when a lease should be applied for to interests which, together with its direct interests, in terms of acres, did not exceed 2,560 acres.

Taking into consideration the amendment of said section 27 so that permits and leases are now granted upon the basis of acreage rather than upon any number of permits or leases, the foregoing represents the views of the Department at the present time.

And there is good, sound reason for these views and for the distinction which is made between approved and unapproved contracts. When a permit is granted or an assignment of a permit approved, the permittee or assignee becomes entitled, in the event of discovery of oil or gas, to a lease. Under the original section 27 of the leasing acts, as it was construed by the Department, and under said section 27 as amended, the right to hold oil and gas leases is coextensive with the right to hold oil and gas prospecting permits.

The questions submitted by you are specifically answered as follows:

(a) Even though the form of operating agreement under discussion may amount to an assignment of permit it is not necessary to submit such agreement to the Department for approval prior to discovery.

(b) Yes.

(c) Yes.

(d) The operator may undoubtedly dispose of operating contracts in excess of 2,560 acres on one structure and 7,680 acres in any one State prior to discovery, but the Department does not wish to be understood as expressing the opinion that operating contracts may be held and may be sold when opportunity offers at any time after discovery.

(e) In view of the stand which the Department has taken with regard to operating contracts, it must be clear that it is of the opinion that such contracts, even though they may include more than 2,560 acres on one structure or 7,680 acres in one State, are not in violation of the laws of the United States. It will be noted that the third proviso to amended section 27 has reference only to leases, because it was clearly intended to prevent monopoly of any of the mineral resources governed by the leasing act. The Department has more direct control over permits and has authority to cancel them. Prior to discovery of the mineral for the prospecting for which it is granted the permit has merely a value for the prospective discovery and production of mineral.

Very truly yours,

E. C. FINNEY,

First Assistant Secretary.

DEPARTMENT OF THE INTERIOR

Washington

April 23, 1928.

The Director,

Geological Survey:

The Commissioner,

General Land Office:

Gentlemen:

The following procedure for abandonment of wells on oil and gas prospecting permits is approved and you will govern yourselves accordingly.

1. Whenever, in the opinion of the supervisor of oil and gas operations, any well on a prospecting permit should be plugged and abandoned, he shall call upon the permittee to perform the necessary work. (See Operating Regulations, Sec. 1(a) and (e).) If steps to perform the required work are not taken with reasonable promptness, the supervisor shall report to the Geological Survey stating the conditions that exist, the efforts made by him to have them corrected and the results thereof, and the approximate cost of abandoning properly each well involved, and shall make specific recommendation as to the action to be required of the permittee.

2. The Geological Survey will promptly notify the General Land Office, specifying the abandonment work necessary by the permittee.

3. The General Land Office will immediately serve notice by registered mail on the permittee at his record address, through the

register of the local land office, allowing fifteen days from receipt of notice within which to initiate proceedings looking to the abandonment in accordance with the operating regulations.

4. The General Land Office will transmit by registered mail to the home office of the surety company, bonding the permittee, a copy of such notice, advising the surety company that unless its principal takes steps to comply with the order within the time allowed the Government will protect its interests through appropriate proceedings and will thereafter look to the surety company for reimbursement under the bond.

5. The General Land Office will send two copies of such notices to the Geological Survey, one copy of each notice to be forwarded to the appropriate supervisor of oil and gas operations, Geological Survey.

6. At the expiration of the time allowed the register will report to the General Land Office with evidence of service, at the same time sending a copy of his report to the supervisor of oil and gas operations.

7. Upon receipt of such information from the local land office the supervisor will, if the facts then before his office warrant, confirm the register's report by a report to the Geological Survey.

8. Upon receipt of such report from the supervisor the Geological Survey will immediately notify the General Land Office, reporting all facts in detail including the estimated cost of abandoning each well involved.

9. Upon receipt of such reports from the register and from the Geological Survey the General Land Office will call on the home office of the surety company, furnishing an estimate of the cost of the necessary work and allowing the company fifteen days to elect to make the abandonment of its own motion under the supervision of the oil and gas supervisor, Geological Survey, or to indicate what action, if any, it desires to take if and when the work is undertaken by the Government.

10. The General Land Office will notify the Geological Survey of the action taken by the surety company.

11. The Geological Survey will notify the supervisor and if the surety company does not elect to perform the work on its own motion will, pursuant to the fiscal regulations of that office, authorize the supervisor to proceed with the necessary work of abandonment.

12. On receipt of such authorization from the Geological Survey as may be necessary in a particular case, the supervisor will proceed with the work, keeping a detailed account by well and job of all expenditures. Vouchers submitted by the supervisor for payment should be separated from other expenditures and should be marked to

indicate the job to which they relate by serial number of the case record, the name of the permittee, and name of the surety company.

13. The supervisor will upon completion of the work submit to the Geological Survey an itemized detailed account with appropriate references to vouchers, contracts, etc.; this account will be made the basis for procedure to obtain reimbursement.

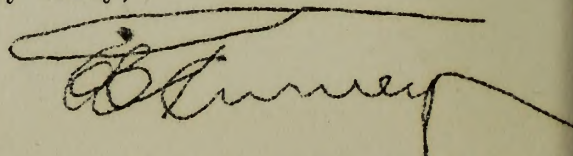
14. The Geological Survey will submit to the General Land Office a complete report, in duplicate, of the cost incurred in the work of abandonment.

15. The General Land Office will call on the home office of the surety company to make settlement for the amount due, submitting to the company an itemized statement and all related facts, and giving notice that unless the surety company makes settlement within thirty days from notice the entire matter will then be referred to the Department of Justice with recommendation that suit be instituted to recover the amount of expenditure made plus costs.

16. When the expenditure made in the matter of the abandonment is in excess of the bond obligation the supervisor of oil and gas operations will report specifically to the Geological Survey as to the advisability of bringing suit against the permittee to obtain judgment and execution for the full amount expended.

17. The procedure above outlined shall apply where applicable to other defaults by permittees or lessees.

Yours very truly,



ISOLATED TRACT LAW EXTENDED TO OKLAHOMA.

(PUBLIC -- NO. 313 -- 70th CONGRESS)

(S. 2725)

An Act To extend the provisions of section 2455, United States Revised Statutes, to certain public lands in the State of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the provisions of section 2455, United States Revised Statutes (Section 1171, Title 43, United States Code), as amended, be, and they are hereby, extended to surveyed, unreserved, unappropriated nonmineral public lands in that part of the State of Oklahoma formerly comprised in Oklahoma Territory: Provided, That this Act shall not apply to any such area where under existing law such lands are now subject to public or private sale: Provided further, That the proceeds of all sales hereunder shall be deposited in the Treasury of the United States to the credit of such fund or funds as may be provided by existing law for the disposition of such lands.

Approved, April 24, 1928.

Applications under this act will be governed by the regulations contained in Circular No. 684, copies of which and forms of application may be obtained of the General Land Office, Washington, D. C.

Circular No. 1144.

EXTENSION OF RELIEF TO INDIANS ON RAILROAD GRANT LANDS IN
ARIZONA, CALIFORNIA, AND NEW MEXICO -- ACT OF MARCH 10, 1928.

--O--

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 12, 1928.

Registers,

United States Land Offices
in Arizona, California, and New Mexico.

Gentlemen:

The act of Congress approved on March 4, 1913 (37 Stat. 1007), provides:

"That the Secretary of the Interior be, and he is hereby, authorized in his discretion to request of the present claimant under any railroad land grant a relinquishment or reconveyance of any lands situated within the States of Arizona, New Mexico, or California, passing under the grant, which are shown to have been occupied for five years or more by an Indian entitled to receive the tract in allotment under existing law but for the grant to the railroad company; and upon the execution and filing of such relinquishment or reconveyance the lands shall thereupon become available for allotment, and the company relinquishing or reconveying shall be entitled to select, within a period of three years after the approval of this act, and have patented to it, other vacant, non-mineral, non-timbered, surveyed public lands, of equal area and value, situated in the same State, as may be agreed upon by the Secretary of the Interior, provided that the total area of land that may be exchanged under the provisions of this act shall not exceed 3,000 acres in Arizona, 16,000 acres in New Mexico, and 5,000 acres in California."

The act of April 11, 1916 (39 Stat. 48), extended the provisions of the act of March 4, 1913, for a period of two years from and after March 4, 1916, and provided that the total area which might be exchanged thereunder should not exceed 10,000 acres in Arizona, and 25,000 acres in New Mexico.

The act of June 30, 1919 (41 Stat. 9), further extended the provisions of the basic act for a period of one year from and after March 4, 1919.

September 21, 1922 (42 Stat. 994), Congress again extended the period to March 4, 1923.

January 29, 1925 (43 Stat. 795), Congress again extended the period to March 4, 1927.

March 10, 1928, an act of Congress was approved (Public No. 151, 70th Congress), which reads as follows:

"That all of the provisions of an act entitled 'An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California,' approved March 4, 1913, and amended by the act of April 11, 1916, and the act of June 30, 1919, be, and the same are hereby, extended to March 4, 1931: Provided, That the provisions of this act shall apply only in cases where it is shown that the lands were actually occupied in good faith by Indians prior to March 4, 1913, and the applicants are otherwise entitled to receive such tracts, in allotment under existing law but for the grant to the railroad company."

You will give to this matter, without expense to the Government, the widest possible range of publicity.

Promptly transmit to this office all Indian allotment applications filed under the act of March 4, 1913, as now extended. When they are received here the procedure outlined by Circular No. 533, dated March 12, 1917 (46 L. D. 44), will be followed. These instructions will supersede those contained in Circular No. 987 of March 26, 1925 (51 L. D. 79), said Circular No. 987 being hereby revoked and recalled.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: April 12, 1928

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1145.

ANNUAL REPORT AS TO UNAPPROPRIATED LANDS.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 20, 1928.

Registers,

United States Land Offices.

Sirs:

Inclosed herewith are blank forms (4-349) upon which you will report, IN DUPLICATE, the area of the unappropriated lands in your district on July 1, 1928, and the character thereof.

You will incorporate in this report a statement showing the aggregate number and area of entries of record in your district upon which final proof of compliance with the law has not been presented.

The data as to the surveyed lands should be obtained from the township plats, but the area of unsurveyed lands must necessarily be estimated. In making such estimates you will subtract from the total unsurveyed area any portion which is within a national forest, national monument, Indian, military, or other reservation. Report should not show fractional parts of an acre.

Lands withdrawn for resurveys should be reported as unsurveyed, but the area of entries within the withdrawn townships should be treated as appropriated.

It is essential that your report be forwarded not later than July 1, 1928, and nothing must be allowed to delay it beyond that date.

It is suggested that delay in making the report can be obviated by commencing to check the township plats at an early date, and after the area of unappropriated land in a township has been ascertained and entered on a sheet to be attached to the plat, the noting thereon of the proper debits and credits, as entries are made or relinquished, will make the correct area easily available at the close of business on June 30.

Your attention is invited to the fact that frequently only small areas are found vacant in certain counties. This, if published in the Vacant Land Circular, gives rise to many inquiries as to where these particular small areas are located, and it often happens that neither this office nor your office knows the description thereof. You will, therefore, in all cases where a county is reported as containing less than 500 acres, keep a memorandum of the description of these vacant subdivisions so that inquiries relative thereto may be answered promptly.

Lands in pending unallowed applications or in designated geological structures of producing oil or gas fields, or in approved oil and gas leases should be considered as appropriated; but lands in applications for oil and gas prospecting permits, or in permits granted, or in applications for coal, phosphate, sodium, oil shale, or potash permits or leases or in permits or leases granted, should be considered as unappropriated.

Acknowledge receipt hereof on the inclosed card.

Very respectfully,

WILLIAM SPRY,

Commissioner.

3 Inclosures.

Circular No. 1146.

PAYMENTS REQUIRED FOR CHEYENNE RIVER AND STANDING ROCK INDIAN LANDS.

--- O ---

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1295909 "K" MMJ

April 23, 1928.

Registers,

Pierre, South Dakota.
Bismarck, North Dakota.

Gentlemen:

The act of March 31, 1928 (Public No. 232), provides:

"That any homestead entryman or purchaser of Government lands within the former Cheyenne River and Standing Rock Indian Reservations in North Dakota and South Dakota who is unable to make payment of purchase money due under his entry or contract of purchase as required by existing law or regulations, on application duly verified showing that he is unable to make payment as required, shall be granted an extension of time for payment of one-fourth the amount, including principal and interest, due and unpaid on his entry or purchase until the 1st day of December, 1928; the remainder to be paid in three equal annual installments falling due on December 1, 1929, December 1, 1930, and December 1, 1931; all such amounts to bear interest at the rate of 5 per centum per annum until the payment dates; Provided, That upon failure to make complete payment of any installment the entry shall be canceled and the money paid forfeited."

1. The act is construed to require the payment of interest on the principal which was due and unpaid on March 31, 1928, at the rate of five percent per annum from the maturity of the unpaid amounts and for the period of extension and to require the payment of interest on the interest which was due and unpaid on said date at the same rate from the date of the passage of the act and for the period of the extension.

2. Any entryman who is unable to make the payment as required by previous laws and who files a satisfactory corroborated affidavit setting out such inability and the reasons therefor may pay one-fourth of the principal which was due and unpaid on March 31, 1928, on or before December 1, 1928, and have the balance divided into three

annual installments falling due on December 1, 1929, December 1, 1930, and December 1, 1931, with interest on each installment as indicated in paragraph 1, hereof.

3. Notices showing the total amount of principal and interest heretofore paid under each entry, together with the amount of principal which was due and unpaid on March 31, 1928, and the amount of interest required will be prepared in this office and sent to you for service by registered letter. A copy of a notice together with a copy of this letter should first be sent to the entryman at his record address and if service is not obtained at that address a further notice should be directed to him at the post office nearest the land. This office will use the utmost care in preparing these notices in order that they may clearly show the amounts due but before final certificate is issued you will check the amounts shown in the notice with your records in order to verify the figures given.

4. The provision in the act that upon the failure of an entryman to complete his payments as required the entry shall be canceled and the money paid forfeited will be strictly observed and entries for which payments are not made as required will be canceled without notice to the entrymen other than the notice advising them of the amounts due.

5. Upon payment being made you will report to this office and if payment is not made you will so report as soon as possible after December 1, 1928. You will make similar reports immediately after December 1, 1929, December 1, 1930, and December 1, 1931.

6. Where payments are made as required and where satisfactory proof of residence, cultivation and improvements has been submitted and in the absence of objections shown by your records you will issue final certificate without special instructions from this office.

7. The act is supplemental to the acts of April 13, 1912 (37 Stat. 84), May 28, 1914 (38 Stat. 384), March 4, 1921 (41 Stat. 1446), April 25, 1922 (42 Stat. 499), and March 3, 1925 (43 Stat. 1184). Payments maturing after March 31, 1928, must be paid as indicated in Circulars Nos. 106 and 751.

8. Any entryman may if he so desires file a relinquishment of a portion of his entry and apply to have the money heretofore paid applied on the part retained (46 L. D. 282).

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: April 23, 1928.

E. C. FINNEY,

First Assistant Secretary.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolutions Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the Department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(784)

CALIFORNIA:

MEMORANDUM.

Public order of March 30, 1928, opens to homestead entry eight farm units of lands within the Tule Lake Division of the Klamath Irrigation Project in Secs. 30 and 31, T. 48 N., R. 5 E., M. D. M., California, subject to reclamation act of June 17, 1902 (32 Stat. 388). Honorably discharged veterans of the World War will have a preference right to make entry at the United States land office, Sacramento, California, up to July 18, 1928; on and after that date any of the farm units remaining unentered will be subject to entry under the notice by any person having the necessary qualifications. Before making homestead entry, farm application blanks should be filed with the project superintendent at Klamath Falls, Oregon, and those farm application blanks which are so filed within the 10-day period from April 16 to 25, 1928, inclusive, will be considered as simultaneously filed.

The farms are various sizes containing from 56 to 75 irrigable acres each and are in Modoc County, California, about 3 miles below the boundary with the State of Oregon.

In addition to the qualifications required under the homestead laws, an applicant for the lands must satisfy the examining board appointed for the Klamath Project that he is possessed of certain qualifications as to industry, experience, character, and capital as will give reasonable assurance of success by the prospective settler.

EFFECTIVE DATES.

Simultaneously ten day filing period for ex-service men April 16 to April 25, 1928, inclusive.

Preference right period for ex-service men April 16 to July 17, 1928, inclusive.

Lands open to general disposition July 18, 1928.

OPEN TO ENTRY THROUGH SURVEY

The plat of survey of T. 43 S., R. 12 E., S. L. M., San Juan County, Utah, will be officially filed in the district Land office at Salt Lake City on May 15, 1928, at 9 a. m.

For 91 days, beginning May 15, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Salt Lake City during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on May 15, 1928. On August 14, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed, 21,502.18 acres. This land consists of the rolling top of Piute Mesa which covers approximately half the township. The remainder is very rough and broken by deep canyons and high ledges. The drainage is into Nokai Canyon, course north. On the Mesa the soil is sandy clay and sandy loam and affords fair grazing during the winter months when water is found in tanks eroded in the solid surface rock. There is a medium growth of pinyon and juniper on the Mesa and a very scattering growth in the remainder of the township.

(786)

SOUTH DAKOTA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 4 N., R. 3 E. (Secs. 2 to 36, inclusive), B. H. M. Lawrence County, South Dakota, will be officially filed in the district land office at Pierre on May 26, 1928, at 9 a. m.

A portion of the land represented upon this plat is included in the Black Hills National Forest.

For 91 days, beginning May 26, 1928, the unreserved lands represented upon the said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Pierre, South Dakota, during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on May 26, 1928. On August 25, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area of public lands surveyed: 2,342.04 acres. Land: mountainous. Soil: rocky, third rate. Timber: pine, spruce, and birch. The township is well supplied with water for domestic uses. The area is highly mineralized. Several small dairy farms furnish milk and produce for the mining towns of Lead and Deadwood, South Dakota, nearby.

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(787)

UTAH:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Three hundred and sixty acres in Kane County, Salt Lake City land district opened to surface entry only under the homestead or desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning May 4, 1928. Applications of ex-service men may be presented at the United States land office at Salt Lake City at any time within 20 days prior to that date. On and after August 3, 1928, if the land is unentered it will be subject to appropriation under any public land law applicable thereto by the general public.

The lands were released from stock driveway withdrawal and further information may be obtained from the United States land office at Salt Lake City, Utah.

(788)
ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 36 N., R. 4 E., G. & S. R. M., Coconino County, Arizona, will be officially filed in the district land office at Phoenix on June 1, 1928, at 9 a. m.

A portion of the land represented upon this plat is within the Kaibab National Forest and Game Preserve.

For 91 days, beginning June 1, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Phoenix during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on June 1, 1928. On August 31, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area of public land surveyed: 22,944.75 acres. The land in this township comprises every variety from level to mountainous, and the soil ranges from sandy loam to barren cliffs.

The township is sparsely covered with cedar and pinyon timber in the rougher portions along the west boundary. The land over the major part of the township supports a fair growth of nutritious grasses, which adapts the township for grazing purposes.

(789)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey and resurvey of the following townships will be officially filed in the district land office at Las Cruces, New Mexico, on May 15, 1928, at 9 a. m.:

- T. 25 S., R. 7 W. (Sections 6, 7, 18, 19, 30, 31),
N. M. P. M., Luna County.
- T. 25 S., R. 19 W., N. M. P. M., Hidalgo County.
- T. 12 S., R. 21 $\frac{1}{2}$ E. (Fractional), N. M. P. M.,
Chaves County.
- T. 12 S., R. 22 E., N. M. P. M., Chaves County.

For 91 days, beginning May 15, 1928, the unreserved lands represented upon the said plats will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Las Cruces during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on May 15, 1928. On August 14, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 25 S., R. 7 W.---Area surveyed, 5,872.81 acres. This area is traversed from north to south by the Florida Mountains and is very rough, except in Sec. 6 and the east halves of the remaining sections. The level or nearly level portions are gravelly with third rate soil that produces a good growth of grass. Drainage is to the east. There is no living water in the area. Gold, silver, lead, copper, and manganese are found throughout the entire area and are being prospected, but at present there is no production.

T. 25 S., R. 19 W.---Area surveyed, 22,979.08 acres. The two east ranges of sections are rough and mountainous, being traversed from north to south by the Pyramid Mountains. The remainder is level with a gradual slope to the west. The soil in the mountainous portions is stony and shallow; on the level part it is sandy, mixed with small gravel. There is a scattering growth of scrub cedar on the northern slope of the mountainous areas. Grass is good throughout the township which as a whole is well adapted to grazing.

T. 12 S., R. 21 $\frac{1}{2}$ E.---Area resurveyed, 5,520.87 acres by the original survey. This fractional township is 1 $\frac{1}{2}$ miles wide and consists of level and rolling land with practically no timber and little undergrowth. The drainage is all into Rocky Arroyo, except a small portion in the immediate valley of the Hondo River. Almost the entire township is tillable land which can not be made productive without irrigation, possibilities for which appear to be remote. The Hondo River affords good stock watering, and stock can graze in the entire area of the township and water at the Hondo River. About a fourth of the township is rocky. However, the grass is good in the rocky area. The larger portion of the area is entered land.

T. 12 S., R. 22 E.—Area resurveyed, 23,203.15 acres by original survey. This township is generally rolling with an easterly drainage with wide level draws. The soil of the draws is red sandy and brown loam, tillable and productive with water and produces an abundant growth of grass. On the hills the soil varies from thin, sandy loam to stony, very good for grazing only. There is no timber except along the banks of the Hondo River and scrub walnut trees along the banks of Rocky Arroyo. A considerable amount of public land in this township would be tillable if the water for irrigation could be secured.

(790)

WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

The plats of resurvey of Ts. 42 N., Rs. 90 and 91 W., 6th P. M., Hot Springs County, Wyoming, will be officially filed in the district land office at Buffalo, on May 21, 1928, at 9 a. m.

A portion of the land represented upon these plats is included in petroleum reserves.

For 91 days, beginning May 21, 1928, the unreserved lands represented upon the said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Buffalo during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on May 21, 1928. On August 21, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 42 N., R. 90 W., 6th P. M.--Dependent Resurvey. Area shown on original plat, 22,998.24 acres. Land: rolling in north central portion; mountainous and broken in remainder of township. Soil; sandy loam in southwest portion with heavy clay in remainder of township. There is no timber except scattering scrub pines in Secs. 31, 32, 35, and 36, some scrub cedar in Sec. 16, and willows and boxelders along the water courses. Undergrowth consists of sage brush and a fair growth of native grass. The area is sufficiently watered by numerous creeks for grazing purposes which is the main agricultural pursuit in the township. No metallic mineral has been discovered in the township. Prospecting for oil has been commenced in Sec. 5.

T. 42 N., R. 91 W., 6th P. M.--Dependent Resurvey. Area shown on original plat, 23,019.14 acres. Nearly all the land in this township is rolling mountainous. Drainage is in a northerly direction from a high ridge which extends from east to west along the south boundary of the township. Kirby Creek, in Secs. 18, 19, 30, and 31 has running water, and there is enough water in the remainder of the township for stock grazing which is the principal occupation. There is no timber, coal, or metallic mineral. The soil is second rate sandy loam and third rate adobe, containing considerable alkali. There is a fair growth of native grass throughout the township.

(791)
COLORADO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey of T. 40 N., R. 18 W., N. M. P. M., Dolores County, Colorado, will be officially filed in the district land office at Pueblo, Colorado, on June 25, 1928, at 9 a. m.

For 91 days, beginning June 25, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Pueblo during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on June 25, 1928. On September 25, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area resurveyed, 24,046.50 acres. This township lies on a high plateau, average elevation 7,000 to 7,500 feet. The land generally consists of rolling mesa crossed by many draws draining in a southwesterly direction. Some of the southern portion of the township is rolling mountainous in nature. Surface water is scarce, but good water is easily obtained from wells from 25 to 75 feet in depth. The average soil of the mesa land is a sandy reddish loam producing a good growth of grass and undergrowth. The land is especially well adapted for potato growing, and good crops of wheat, oats, corn, and beans are raised successfully. The township is quite thickly settled.

This township is well timbered throughout, cedar and pinyon being predominant. The central portion especially is covered with a heavy and dense growth. Yellow pine is found in the extreme northeast portion.

The nearest outlet to a railroad is Dolores, Colorado, about 45 miles in a southeasterly direction. The small town of Dove Creek is located near the extreme northwest part of the township.

(792)

MONTANA:

RELEASE FROM STOCK DRIVEWAY WITHDRAWAL.

Eighty acres in Powder River County, Billings land district, opened to entry only under the homestead or desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning May 15, 1928. Applications of ex-service men may be presented at the United States land office at Billings at any time within 20 days prior to that date. On and after August 14, 1928, if the land is unentered, it will be subject to appropriation under any public land law applicable thereto, by the general public.

The lands were released from stock driveway withdrawal, and further information may be obtained from the United States land office at Billings, Montana.

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(793)

NEBRASKA:

RESTORATION FROM RECLAMATION WITHDRAWAL.

Seven thousand acres are restored from reclamation withdrawal, but of this amount only approximately 3,000 acres in Morrill, Scotts Bluff, Banner, and Sioux counties, Nebraska, will be opened to homestead and desert-land entry, beginning May 14, 1928, for a period of 92 days to ex-service men of the World War, subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men at the United States land office, Alliance, Nebraska, during the 20 days preceding that date, or from April 24, 1928 to May 13, 1928, inclusive. All conflicts up to 9 a. m. May 14, 1928, will be decided by drawing. Any lands remaining unentered after the expiration of the 92-day period, or beginning August 14, 1928, will be open to entry under any applicable public land law by the general public, and prospective applicants may present their applications within the 20 days preceding or beginning July 25, 1928, and all applications so filed will be treated as simultaneously filed.

The lands are in the vicinity of a section of the North Platte River from the city of Morrill through to Gering, and on to Bridgeport, Nebraska. Two railroads run in the neighborhood, viz., the Union Pacific and the Chicago, Burlington and Quincy. Available information indicates that the lands are mostly second rate bottom lands.

EFFECTIVE DATES.

Soldiers' simultaneous filing period: April 24 to May 13, 1928.

Preference period for ex-service men: May 14 to August 13, 1928.

Simultaneous filing period for public: July 25 to August 13, 1928.

Lands open to general disposition: August 14, 1928.

(794)

COLORADO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of Fractional T. 6 S., R. 105 W., 6th P. M., Rio Blanco County, Colorado, will be officially filed in the district land office at Denver on May 24, 1928, at 9 a. m.

For 91 days, beginning May 24, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Denver during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on May 24, 1928. On August 23, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed: 2,585.17 acres. Land: rough and mountainous and suitable for grazing purposes. Undergrowth: oak, service, and buck brush. Timber: small aspen and spruce. Bitter Creek, a small stream having a limited supply of water, flows through Secs. 24 and 25 and furnishes water for irrigation purposes to the Hill ranch in these sections. No indications of mineral deposits. There is a wagon road along Bitter Creek. The nearest trading post is Dragon, Utah.

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(795)

CALIFORNIA:

RELEASED FROM TEMPORARY WITHDRAWAL.

Two hundred and fifty acres in Kern County, Sacramento land district, opened to entry only under the homestead and desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning June 13, 1928. Applications of ex-service men may be presented at the United States land office at Sacramento at any time within 20 days prior to that date. On and after September 12, 1928, the land, if unentered, will be subject to appropriation under any public land law applicable thereto by the general public.

The land was released from temporary withdrawal, and further information may be obtained from the United States land office at Sacramento, California.

(796)
IDAHO:

FROM SEGREGATION UNDER THE CAREY ACT.

Eleven thousand five hundred eighty-four and ten hundredths acres of land in Twin Falls County, Blackfoot land district, opened to homestead and desert-land entries by qualified ex-service men of the World War, beginning May 22, 1928, and opened to entry by the general public under applicable public land laws on August 21, 1928. Some of the land may be found to be subject to a preference right of entry by Carey Act entrymen beginning May 22, 1928.

The soldiers and Carey Act entrymen's simultaneous filing period is from May 2 to May 21, 1928, inclusive, and the simultaneous riling for the general public from August 1 to August 20, 1928, inclusive.

Water for the irrigation of these lands is not available at a reasonable cost and farming without irrigation or dry farming is impracticable because of low annual precipitation. The lands support a scant growth of native vegetation consisting of sagebrush and some grasses, which affords grazing in the early spring and late fall. The summers are hot and dry and no native feed is available during that period. The lands have a carrying capacity estimated at 10 head of cattle per square mile during the spring and fall grazing season.

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(797)
WYOMING:

RELEASED FROM TEMPORARY WITHDRAWAL.

One thousand four hundred acres in Lincoln County, Evanston land district, opened to entry only under the homestead and desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning June 18, 1928. Applications of ex-service men may be presented at the United States land office at Evanston, Wyoming, at any time within 20 days prior to that date. On and after September 18, 1928, any of the land remaining unentered will be subject to appropriation under any public land law applicable thereto by the general public. A portion of the land involved is embraced in a phosphate reserve and is therefore subject to entry under the conditions applicable to lands so reserved.

The lands have been released from temporary withdrawal, and further information may be obtained from the United States land office at Evanston, Wyoming.

MEMORANDUM.

The plats of survey of the following islands in Minnesota will be officially filed in the district land office at Cass Lake on June 6, 1928, at 9 a. m.:

In Tamarack Lake, 0.62 acres, lot 4, Sec. 33, T. 42 N., R. 17 W., 4th P. M.

In Mille Lacs Lake, 1.37 acres, lot 4, Sec. 7, T. 42 N., R. 25 W., 4th P. M.

In Moore Lake, 0.48 acres, lot 12, Sec. 7, T. 57 N., R. 25 W., 4th P. M.

In Pine Lake, 6.94 acres, lot 9, Sec. 29, T. 45 N., R. 27 W., 4th P. M.

In Platte Lake, 6.78 acres, lot 6, Sec. 6, T. 42 N., R. 28 W., 4th P. M.

In Man Trap Lake, 16.64 acres, lot 9, Sec. 25, T. 142 N., R. 34 W., 5th P. M.

Said islands will be open to entry under the homestead laws by qualified former service men of the World War for a period of 91 days, beginning with the date of filing of the plats.

The records of this office show that there are selections pending for the islands in Mille Lacs, Tamarack, and Moore Lakes, filings authorized for unsurveyed islands.

Owing to the small area involved no opening notice has been prepared for distribution in Washington, D. C.

RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By order of March 21, the public lands in T. 15 S., R. 4 E., S. B. M., in the Cleveland National Forest, California, have been released from resurvey withdrawal.

Under order of March 21, the public lands in T. 17 S., R. 4 E., S. B. M., California, have been released from resurvey withdrawal and restored.

By order of March 21, the public lands in T. 12 S., R. 21 E., N. M. P. M., New Mexico, have been released from resurvey withdrawal and restored.

By order of March 21, the public lands in T. 26 N., R. 115 W., 6th P. M., Wyoming, have been released from resurvey withdrawal and restored.

By order of March 21, the public lands in T. 7 S., R. 100 W., 6th P. M., Colorado, have been released from resurvey withdrawal and restored.

By order of March 23, the public lands in Ts. 20 N., Rs. 1 and 2 E., N. M. P. M., New Mexico, have been withdrawn pending resurvey of said townships.

By order of March 23, the public lands in Ts. 7 and 8 S., R. 5 W., and Ts. 6, 7, and 8 S., R. 6 W., N. M. P. M., New Mexico, have been withdrawn pending resurvey of said townships.

By order of March 30, certain lands in Utah in Sec. 20, T. 1 S., R. 19 W., S. L. M., have been withdrawn pending legislation.

Under order of April 2, a tract of 40 acres in Sec. 9, T. 7 S., R. 7 W., W. M., Oregon, has been withdrawn for use by the State as a lookout station, subject to the right of the United States to sell timber thereon in accordance with the provisions of the act of June 9, 1916 (39 Stat. 218).

By order of April 3, approximately 5,200 acres in Oregon have been withdrawn for use by the Department of Agriculture as a refuge and breeding ground for birds and wild animals, known as the Upper Klamath Wild Life Refuge.

By order of April 3, the public lands in T. 13 S., R. 22 E., N. M. P. M., New Mexico, have been released from resurvey withdrawal and restored.

By proclamation of April 4, the boundaries of the Cherokee National Forest in Georgia, North Carolina, and Tennessee have been changed by the addition of certain lands and by the exclusion of certain lands.

Under order of April 11, about 250 acres in California have been released from withdrawal for recreational purposes and restored.

By order of April 18, certain lands in Wyoming were added to the withdrawal made by Executive Order of July 7, 1927, in aid of proposed legislation, and certain lands were released from such withdrawal and the public lands therein restored.

Under order of April 19, the Pathfinder Reservation in Wyoming was re-established, for use by the Department of Agriculture as a preserve and breeding ground for native birds.

OIL AND GAS ACTIVITIES.

During the month of April the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 428 new applications and 5,181 cases for reconsideration. Permits were granted on 385 applications, 82 applications were finally rejected and 184 finally rejected in part and 12 finally rejected on drawings; 302 applications were rejected subject to appeal; 13 appeals were transmitted to the Secretary; departmental decisions were promulgated in 10 cases affirming this office; 70 assignments were disposed of and 435 applications for extensions of time acted upon; 151 permits were held for cancellation and 662 permits were canceled; 2,091 cases were awaiting Survey reports and 21 reports of the Reclamation Bureau, and 678 new cases are awaiting Survey reports; 560 applications were examined and preliminary action taken. 4,033 letters were written, of which 215 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 3 leases involving 2 cases were delivered; 17 leases, involving 4 cases were authorized, 4 leases involving 1 case were executed by the Secretary, and 3 leases involving 2 cases were forwarded to the lessees for execution; 54 assignments were acted upon, and 11 applications for extensions of time disposed of; reductions of royalty were recommended in 2 cases and approved in 1 case; 1 sales contract was approved by the Secretary; drilling relief was recommended in 2 cases, approved in 1 case and rejected in 1 case. 108 letters were written, of which 40 were replies to inquiries. Twenty applications of a miscellaneous nature were considered and appropriate action taken.

On March 9, 1928, the President approved an act to grant extensions of time on oil and gas permits (Public No. 118), and regulations under said act are now in course of preparation.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of March were \$361,304.48, all from lands outside of naval reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF MARCH, 1928.

Office.	Business of current month.				Pending at end of month.		
	Applications, Receipts and proofs, etc., received.	General Land Office letters issued and miscellaneous.	Contest cases initiated.	Total.	Pending Suspended, design- rejected, nation. or other- wise.	Pending unacted on by Register.	
Arizona							
Phoenix	367	1,028	280	20	1,695	85	193
Arkansas							
Little Rock	82	820	62	3	967		56
California							
Los Angeles	258	1,599	447	15	2,319	81	164
Sacramento	140	1,575	465	14	2,194	198	187
Colorado							
Denver	227	1,985	727	9	2,948	288	541
Pueblo	151	1,038	273	20	1,482	97	126
Florida							
Gainesville	42	778	86	5	911		34
Idaho							
Blackfoot	210	982	78	21	1,291	214	213
Coeur d'Alene	20	200	23		243	9	18
Minnesota							
Cass Lake	31	400	50	3	484		19
Montana							
Billings (x)							
Great Falls	285	1,700	596	6	2,587	117	342
Nebraska							
Alliance	16	274	30	2	322	25	5
Nevada							
Carson City	47	824	208	2	1,081	53	65
New Mexico							
Las Cruces	326	1,261	514	21	2,122	103	289
Santa Fe	347	1,517	324	19	2,207	138	262
North Dakota							
Bismarck	34	617	55	1	707	11	25

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To All Local Offices and Field Service Employees:

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LAND SERVICE BULLETIN

DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12

June 1, 1928

No. 4.

OREGON AND CALIFORNIA TAX UNIT.

Report for the month of May and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

Claims received during month (1927)	(2)	\$27,716.80
Total claims received (1927)	(7)	287,207.92
Claims certified during month (1927)	(1)	7,705.28
Disallowance in above	--	60.76
Total claims certified (1927)	(5)	259,278.47
Disallowances in above	--	212.65
Claims pending (1927)	(2)	27,716.80
Total claims received (1926) all	(18)	691,183.62
Total claims certified (1926)	(17)	659,649.09
Disallowances in above	--	27,087.95
Claims pending (1926)	(1)	4,446.58
Total claims received (1916-1925) all	(19)	6,741,466.94
Total claims certified (1916-1925) all	(19)	6,311,168.23
Disallowances in above		430,298.71

THE PUBLIC DOMAIN AS AN INVESTMENT.

An interesting inquiry was recently received by the Commissioner of the General Land Office, which could not be definitely answered because of the lack of compiled data and the practical impossibility of obtaining reasonably complete figures upon which to base a mathematical conclusion, but presented a subject susceptible of interesting developments with the resultant conclusion largely dependent upon the factors given consideration.

Has the public domain been a national asset or a liability? Does its administration up to the present time show a surplus or a deficit? The answer in terms of money is not available, but from the view point of state and national benefit the public domain shows a surplus that cannot be measured in terms of money.

The writer stated that in making certain studies concerning the public domain he had observed figures indicating that on June 30, 1880, the estimated cost of the public lands exceeded the receipts by \$121,346,746.85, and he sought information as to whether the "investment" now shows a loss or a profit.

The answer is not in money. It is not in figures. It is not even calculable.

A statistical compilation prepared by Thomas Donaldson by authority of Congress, included in a volume entitled "The Public Domain", gives the following figures as of June 30, 1880:

For purchases and cessions	\$88,157,389.98
For surveying the disposition	46,563,302.07
For Indian occupancy-title	<u>187,328,903.91</u>
Total	\$322,049,595.96

From the origin of the public domain to the 30th of June, 1880, the net cash receipts therefrom have been	<u>\$200,702,849.11</u>
Deduct receipts from cost	121,346,746.85

The last compilation of this character extended to June 30, 1883, and at that time the excess of cost over receipts amounted to \$126,428,484.89. The major expenditures for cessions, purchases and extinguishment of Indian titles had then been made, and while figures are not available, it is a fair inference that receipts began to exceed expenditures, the latter being composed principally of administrative cost and treaty obligations to the Indians. This, too, notwithstanding the fact that with the enactment of the original homestead law of May 20, 1862, Congress broke away from the policy of treating the public domain wholly as a revenue producer, and practically abandoned that policy by prohibiting generally the public or private sale of the public lands, this being accomplished by the acts of March 2, 1889 (25 Stat. 854), and March 3, 1891 (26 Stat. 1095-1099). Since then the area enterable under

the homestead laws has been increased to 320 and 640 acres under the enlarged and stock-raising homestead acts, respectively, and millions of acres have been patented to settlers without resulting revenue to the Government.

Despite the abolition of purely revenue producing laws, the receipts from public lands since June 30, 1883, aggregate \$308,815,533.15 which sum does not include moneys received for Indian lands. Since 1891 the principal source of such revenues has been from mineral and timber lands and the commutation of homestead entries. Under the mineral leasing act of February 25, 1920 (41 Stat. 437), the Government has received in bonuses, rentals and royalties, principally from oil lands, the sum of \$63,070,334.96. Not all of these moneys is retained by the Government, as a large proportion is paid the States for educational and other purposes, and the Government's vast reclamation program since the enactment of the reclamation law in 1902 has been wholly financed from this source, more than \$140,000,000 having been devoted thereto. This money is reimbursable.

Viewed in the light of other benefits derived by this Government from its public domain, the amount of money received, while a vast sum, becomes a relatively insignificant item. Indeed it is not extravagant to say that no one comparable factor contributed more to the present greatness of this country than the public domain. In the early days of our independence it was the chief source of revenue by which the Government was supported, and in producing that revenue it made lands available at a small price for agricultural and other development. In later years it attracted the homeseeker and by him the frontier line was gradually pushed across the vast western plains. Millions of acres were granted to aid in the construction of railroads and thus the East and West were joined. Other millions of acres were granted to the States for educational purposes and form the solid foundation of our present incomparable school system. Out of the public domain has been taken an untold wealth of gold, silver and other minerals without price other than a nominal surface charge. It contributed for the public pleasure the national parks covering nearly 12,000 square miles, the national monuments aggregating 2,500 square miles, and for the protection and development of our timber resources the national forests with a gross area of 183,938,106 acres, of which more than 86% is public land.

Yet with all these and many other public accomplishments to its credit, the public domain, as stated by Secretary of the Interior Work in his last annual report, has been estimated to have a potential value of 26 billions of dollars, not including those lands to which the United States has reserved title to the mineral. It has always been and is an asset, immeasurable in money, and has accumulated a surplus of public benefit in comparison with which its cost becomes insignificant.

SURVEY NOTES.

Cooperative Surveys, Bureau of Mines.--This office has recently accepted surveys in T. 22 N., R. 116 W., Group 83, Wyoming, executed at the request of the Director of the Bureau of Mines, for the purpose of defining the boundaries between privately owned and leased coal lands. The area was originally surveyed in 1882, independently resurveyed in 1902 and 1903, and further tract segregations of State selections were made in 1906. These State selections were later rejected, and by supplemental plats approved in 1910, the areas included in the 1906 tract segregations were appropriately designated as fractional lots. After properly identifying or restoring the controlling independent resurvey corners, more than $1\frac{1}{4}$ miles of underground traverse was surveyed in order to properly define within the mines of the Kemmerer Coal Company, which is carrying on extensive coal-mining operations in the area, the lines between the patented and leased coal lands.

Resurvey, Minnesota.--The resurvey and re-marking of allotment corners in T. 144 N., R. 29 W., 5th P. M., Minnesota, within the Leech Lake Indian Reservation, was accepted under date of May 18, 1928. This survey represents unusual features which are worthy of mention.

Numerous original corners on the boundaries and in the interior of the township were identified, affording a basis for the dependent resurvey. However, the subdivision of the township was not properly related to the exteriors, resulting in marked distortion in those sections bordering on the township boundaries. This also resulted in an unusual condition of those sections bordering on Leech Lake in the eastern portion of the township.

A comparison of the actual and record meanders of Leech Lake through this portion of the township led to the conclusion that the lake had been actually meandered in the original survey, commencing on the south boundary of the township, but that connections to the subdivisions lines were not made, leaving a considerable hiatus between the recorded and actual positions of the shore line.

Under the circumstances, the Department held that the original survey was not fraudulent. The resurvey was so executed as to give each subdivision originally represented as fronting on the lake its proportional share of the actual lake shore.

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RECENT DEPARTMENTAL DECISIONS.

UNITED STATES v. RUDDOCK.

METSON v. O'CONNELL ET AL., UNITED STATES, INTERVENER.

(Decided by First Assistant Secretary Finney, April 18, 1927.)

MINING CLAIM--ADVERSE CLAIM--HOMESTEAD ENTRY--PROSPECTING PERMIT--EVIDENCE--
BURDEN OF PROOF.

Where adverse charges are preferred by the Government against a mining location conflicting with certain homestead entries or oil and gas permit applications and the opposing claimants, upon due notice, fail to assert their rights, the burden of proof to establish the charges is upon the Government.

MINING CLAIM--ADVERSE CLAIM--HOMESTEAD ENTRY--EVIDENCE--BURDEN OF PROOF.

Where a mining claimant protests against surface entries made before the filing of his patent application, alleging superior right by virtue of prior placer locations, the burden of proof rests upon the protestant.

MINING CLAIM--OIL AND GAS LANDS--WITHDRAWAL--DEVELOPMENT WORK--DISCOVERY--
DILIGENCE.

Under the act of June 25, 1910, an occupant or claimant of oil and gas lands under the placer mining laws is entitled to protection, if, at the time of the withdrawal of the lands, he was making reasonable effort, indicating a bona fide intention to discover oil and gas on the claim with all practical expedition, as by the doing of physical acts tending to facilitate the exploration for, and discovery of oil or gas thereon, and it is not necessary that actual drilling was being prosecuted at that date.

MINING CLAIM--OIL AND GAS LANDS--DISCOVERY--ABANDONMENT--HOMESTEAD ENTRY--
EVIDENCE.

The fact that a mining claimant, after diligent prosecution of work looking to discovery of oil or gas on his claim, discovers small quantities of oil, and thereafter abandons further development, permits the improvements to go to ruin or be sold and the property to lie idle, and possession to be taken under the agricultural land laws, is very persuasive that he did not regard the showings of oil sufficient to warrant further expenditure and development.

OIL AND GAS LANDS--ENTRY--MINING CLAIM--STATUTES.

The act of February 11, 1897, which authorizes entry under the mining laws of lands "chiefly valuable" for petroleum or other mineral oils, differs from section 2319, Revised Statutes, in that under the former the value of the land is the criterion, while under the latter it is the value of the "deposits."

MINING CLAIM--DEVELOPMENT WORK--IMPROVEMENT--COURTS.

The principle that the courts will not substitute their judgments as to the wisdom or expediency of the methods employed in the development of mining claims does not apply to improvements that have no direct relation to mining operations.

MINING CLAIM--OIL AND GAS LANDS--DEVELOPMENT WORK--EXPENDITURES--ABANDONMENT

Expenditures on an oil and gas placer mining claim for the services of a watchman merely to look after the property after all operations had been abandoned and the equipment removed, and with no evidence of a contemplated resumption of mining operations, can not be accepted as satisfying the requirements of section 2324, Revised Statutes, pertaining to annual expenditures.

WITHDRAWAL--MINING CLAIM--ABANDONMENT--PATENT--HOMESTEAD ENTRY.

A withdrawal under the act of June 25, 1910, is a continuing withdrawal, although not effective as to land so long as it remains in a valid claim, and where upon a mining claim, at one time valid, operations had been abandoned and no effort made to maintain the claim as required by the mining laws, or to seek patent until almost ten years after operations had ceased, the land lapsed into the withdrawal and became subject to disposition under applicable public land laws.

"N" Los Angeles 033397, 033398, 032722, 032743, 028653, 030121, 032269.

 UNITED STATES v. RUDDOCK.

METSON v. O'CONNELL ET AL., UNITED STATES INTERVENER.

Motion for rehearing of departmental decision of April 18, 1927 (52 L. D. _____), denied by First Assistant Secretary Finney, February 16, 1928.

EMIL L. KRUSHNIC.

(Decided by First Assistant Secretary Finney, October 3, 1927.)

MINING CLAIM--OIL SHALE LANDS--IMPROVEMENTS--ASSESSMENT WORK--FORFEITURE.

A valid mining location, unperfected at the date of the leasing act of February 25, 1920, by a certificate of entry, is forfeited upon failure to fulfill the statutory requirement as to annual labor and improvements, and the land therein becomes subject to disposition only under that act.

OIL SHALE LANDS--MINERAL LANDS--MINING CLAIM--WITHDRAWAL--STATUTES.

Section 37 of the leasing act of February 25, 1920, was in effect a withdrawal of lands containing the minerals specified therein from location and entry under the general mining laws, and was for a public purpose.

OIL SHALE LANDS--MINERAL LANDS--MINING CLAIM--NOTICE--STATUTES.

Section 37 of the act of February 25, 1920, affords notice to all persons interested in mineral locations containing minerals mentioned therein of the conditions under which they may maintain their claims and protect the deposits claimed from the operation of the act.

MINING CLAIM--OIL SHALE LANDS--WITHDRAWAL--RELOCATION--RESUMPTION OF ASSESSMENT WORK--STATUTES.

The provision in section 2324, Revised Statutes, relating to the resumption of work is a restriction imposed upon the right of relocation, and it has no application to lands no longer subject to relocation, or to the operation of the general mining laws, but withdrawn from such operation and subject to other disposition for a public purpose.

MINING CLAIM--OIL SHALE LANDS--PATENT--LAND DEPARTMENT--JURISDICTION.

The Land Department has jurisdiction to determine whether mining claims for which no patent has been sought are valid or invalid, and so declare.

MINING CLAIM--OIL SHALE LANDS--IMPROVEMENTS--ASSESSMENT WORK--GROUP DEVELOPMENT--EVIDENCE--BURDEN OF PROOF.

Where a mining locator, in defense of a charge that the annual assessment work and improvement prescribed by section 2324, Revised Statutes, had not been performed upon the claim under attack, relies upon the labor and improvements made upon certain claims comprising part of the group, as intended to aid in the development of the others, the burden is upon him to establish that the work done, or improvements made, tend to the development of the property as a whole, and that such work is a part of a general scheme of improvement.

MINING CLAIM--OIL SHALE LANDS--GROUP DEVELOPMENT--IMPROVEMENTS--ASSESSMENT WORK.

Work, regardless of its value otherwise, can not be said to be done in the development of a group of mining claims, if it does not constitute a part of a general plan having in view the development of the group, so that the ore may be more readily extracted, and has no reasonable adaptation to that end.

MINING CLAIM--OIL SHALE LANDS--IMPROVEMENTS--ASSESSMENT WORK--EXPENDITURES.

The value of shafts upon a placer claim, apparently not sunk to actually extract mineral, but to secure data upon which to base later development work, and of a drill hole placed upon a claim for the purpose of prospecting it, is properly creditable in meeting the expenditure required as a condition precedent to entry and patent under section 2325, Revised Statutes.

MINING CLAIM--OIL SHALE LANDS--IMPROVEMENTS--WORDS AND PHRASES--STATUTES.

The definition of the word "improvement" as used in section 2324, Revised Statutes, is "such an artificial change of the physical conditions of the earth in, upon, or so reasonably near a mining claim as to evidence a design to discover mineral therein or to facilitate its extraction, and in all cases the alteration must be reasonably permanent in character."

MINING CLAIM--OIL SHALE LANDS--IMPROVEMENTS--ASSESSMENT WORK--EVIDENCE.

Work or improvement sought to be credited under section 2324, Revised Statutes, must have a direct relation to the claim, or be in reasonable proximity to it, and it must be shown that it was intended at the time as annual assessment work for that particular claim.

MINING CLAIM--OIL SHALE LANDS--GROUP DEVELOPMENT--IMPROVEMENTS--ASSESSMENT WORK--EVIDENCE.

The fact that an assessment hole might be utilized as a portal for a tunnel or in the construction of an air shaft under some later plan of development is insufficient to credit its value as a group improvement.

MINING CLAIM--OIL SHALE LANDS--RULE OF PROPERTY--EVIDENCE--COURTS--JURISDICTION.

The rule to the effect that it is not within the province of the courts to question the judgment of a property owner in the legitimate use of his property, or to determine whether one mode of use would be more beneficial than another, will not be applied for the benefit of a mining claimant if the plan pursued can have no reasonable adaptation to its alleged purpose, the mere assertion that it was pursued for that purpose being insufficient, even though good faith in its pursuit be conceded.

RUST-OWEN LUMBER COMPANY.

(Decided by First Assistant Secretary Finney, November 19, 1927.)

RAILROAD GRANT--SURVEY--PLAT--AMENDMENT.

Where at the date of adjustment of a railroad grant pursuant to the act of March 3, 1887, sections within the primary limits of the grant were shown upon the plat of survey as fractional due to natural causes, the areas of the sections as then shown constitute the full measure of the grant, and a successor in interest to the rights of the railroad company has no basis for a claim to tracts subsequently surveyed which would have comprised the balance of those sections if originally surveyed.

DEPARTMENTAL DECISION CITED AND APPLIED.

Case of McKittrick Oil Company v. Southern Pacific Railroad Company (37 L. D. 243), cited and applied.

"F" G. L. O. 01254.

EX PARTE E. P. WEAVER.

(Decided by First Assistant Secretary Finney, December 16, 1927.)

WITHDRAWAL--SCHOOL LAND--MINERAL LANDS--COAL LAND--CONTEST--OIL AND GAS LANDS--PROSPECTING PERMIT--PUBLIC LAND.

A withdrawal under the act of June 25, 1910, for the purpose of examination and classification as to coal values which embraces surveyed school sections is in effect a contest or Government proceeding against the State in aid of administration to ascertain whether the land was of the character which passed under the school grant, and, where it was determined that the land was not valuable for its coal contents, an intervening withdrawal for a different purpose will be ineffective to defeat the grant.

"N" Santa Fe 048727.

JEAN ALLING.

(Decided by First Assistant Secretary Finney, December 27, 1927.)

OIL AND GAS LANDS--PROSPECTING PERMIT--CITIZENSHIP--MINORS.

Persons under 21 years of age are not qualified to take oil and gas prospecting permits under the act of February 25, 1920, notwithstanding that they are native-born citizens of the United States.

"N" Sacramento 021732, 022098.

RULE FOR MONUMENTING CORNERS OF TRACTS INCLUDED
WITHIN OIL AND GAS PROSPECTING PERMITS.

(Opinion, by First Assistant Secretary Finney, January 18, 1928.)

OIL AND GAS LANDS--PROSPECTING PERMIT--SURVEY--BOUNDARIES.

Survey monuments that are plainly visible on the ground may be adopted by an oil and gas prospecting permittee as the "substantial monuments" at the corners of his permitted lands in fulfillment of the requirement in section 13 of the leasing act, but if any survey monument be missing or if his corner or corners shall be at points which are not corners for survey monuments, he must place a substantial monument at each corner where no survey monument is found.

OIL AND GAS LANDS--PROSPECTING PERMIT--BOUNDARIES--NOTICE.

Where an oil and gas prospecting permit is for incontiguous tracts, each corner of each tract must be monumented, and in addition a notice as required by section 13 of the leasing act must be posted on each incontiguous tract.

OIL AND GAS LANDS--PROSPECTING PERMIT--BOUNDARIES--NOTICE.

Section 13 of the leasing act does not specifically provide that the monuments to be placed at the corners of permitted lands shall bear any inscription or mark of identification which could lead to other monuments, or to the posted notice, and the Department has not by rules or regulations prescribed what shall be considered "substantial monuments."

AMOS D. RUHL (ON REHEARING).

(Decided by First Assistant Secretary Finney, January 30, 1928.)

PATENT--HOMESTEAD ENTRY--SWAMP LANDS--OFFICERS--JURISDICTION--PRESUMPTION.

A patent for public lands carries with it an implied affirmation or finding of every fact made a prerequisite to its issue, and no executive officer of the Government is authorized to reconsider the facts on which it was issued or to recall or rescind it.

SWAMP LANDS--PATENT--ARKANSAS--RESTORATIONS.

The so-called compromise act of April 29, 1898, did not restore to the public domain any lands which prior thereto had been patented to the State of Arkansas under the swamp land grants.

"F" Little Rock 021273.

MANGAN AND SIMPSON v. STATE OF ARIZONA.

(Decided by First Assistant Secretary Finney, January 31, 1928.)

SCHOOL LAND--MINERAL LANDS--MINING CLAIM--SURVEY--NEW MEXICO--STATUTES.

Title to lands within a numbered school section that were mineral and known to be such at the date of the acceptance of the survey, April 1, 1919, did not vest in the State of New Mexico under its original school land grant, and a valid mining claim located upon such lands prior to the act of January 25, 1927, which extended the grant to include mineral lands, excepts them from the operation of that act.

SCHOOL LAND--MINING CLAIM--SURVEY.

The location of a mining claim prior to the passage of the act of January 25, 1927, upon lands within a numbered school section does not defeat the title of a State to the lands under its original grant, if the lands were not known to be mineral at the time they were identified by the survey, or at the date of the grant where the survey preceded it.

"F" 65951-1910.

CONSTRUCTION OF THE ACT OF JANUARY 25, 1927, WITH RESPECT TO
ASSIGNMENT OF MINERAL SCHOOL SECTION LANDS AS BASE FOR INDEMNITY
SELECTIONS.

(Instructions, by First Assistant Secretary Finney to the Commissioner of the General Land Office, February 1, 1928.)

SCHOOL LAND--MINERAL LANDS--STATUTES.

The act of January 25, 1927, was a supplemental grant of numbered school sections, mineral in character, the purpose of which was to simplify administration of the State's school grant and to effect a final adjustment and settlement of questions of title arising thereunder.

SCHOOL LAND--MINERAL LANDS--SELECTION--INDEMNITY--STATUTES.

The grant of January 25, 1927, was a grant in praesenti which operated to vest title in the States to all unappropriated, unreserved mineral school sections in place, for which indemnity had not been taken, and such lands can not thereafter be assigned as base for indemnity selections by reason only of their mineral character.

SCHOOL LAND--MINERAL LANDS--INDEMNITY--STATUTES.

One purpose of the act of February 28, 1891, was to provide means whereby the United States could reacquire title to lands which, although acquired by the States, were of such character or of such status as the grants contemplated should be withheld from the States.

SCHOOL LAND--MINERAL LANDS--INDEMNITY--STATUTES.

Section 2 of the act of January 25, 1927, specifically provides that mineral lands shall not be taken as indemnity or in lieu of school lands surrendered or lost in place, and continues in full force and effect only laws governing lieu selections and exchanges to satisfy losses.

SCHOOL LAND--MINERAL LANDS--SELECTION--INDEMNITY--STATUTES.

The provision in section 2 of the act of January 25, 1927, "that all existing laws governing lieu selections and exchanges are hereby continued in full force and effect," neither added to nor took away from the States any rights that they had under the act of February 28, 1891.

SCHOOL LAND--SELECTION--INDEMNITY--STATUTES.

Section 2 of the act of January 25, 1927, saved to a State the right to have indemnity selections perfected where the offer to make the exchange was prior to the date of that act, but, as to offers proffered after that date, indemnity is authorized only for numbered school sections lost to the State.

SCHOOL LAND--SELECTION--INDEMNITY--LAND DEPARTMENT--STATUTES.

Surrender by a State of a school section of a class contemplated by the act of February 28, 1891, followed by a formally correct lieu selection, is an exercise of an option given the State by Congress, recognition of which is mandatory as to the Land Department.

ELIZABETH CLARK.

(Decided by First Assistant Secretary Finney, February 2, 1928.)

OIL AND GAS LANDS--PROSPECTING PERMIT--APPLICATION--MINERAL LANDS--SURVEY--SCHOOL LANDS--STATUTES.

A pending oil and gas prospecting permit application for land known to be of mineral character at the date of the acceptance of the survey is such a valid application within the purview of subsection (c) of section 1 of the act of January 25, 1927, as to prevent the operation of that act in making a grant of certain mineral school sections to the States.

"N" Santa Fe 054706.

EVELYN C. MULLER.

(Decided by First Assistant Secretary Finney, February 2, 1928.)

AMENDMENT--STOCK-RAISING HOMESTEAD--PATENT--TRANSFEREE.

While the location of a patented entry may be changed through amendment, its extent can not be enlarged because of the entryman's mistaken understanding with respect to its location; and those who claim through the entryman are in no better position than the entryman himself.

AMENDMENT--STOCK-RAISING HOMESTEAD--STATUTES.

Section 2372, Revised Statutes, as reenacted by the act of February 24, 1909, is applicable to the amendment of an entry made under mistaken understanding with respect to its location on the ground.

DEPARTMENTAL DECISION CITED AND APPLIED.

Case of Harris Miller (51 L. D. 281), cited and applied.

"C" Buffalo 026744.

EMIL L. KRUSHNIC (ON REHEARING).

(Decided by Secretary Work, February 8, 1928.)

OIL SHALE LANDS--MINING CLAIM--GROUP DEVELOPMENT--EVIDENCE.

Mere statements of intent that certain work was intended as group development work without regard to evidence as to the character of the work and its relation to the claim as having a tendency to benefit it is insufficient to establish that the work is of such character.

OIL SHALE LANDS--MINING CLAIM--GROUP DEVELOPMENT--IMPROVEMENTS--ASSESSMENT WORK--CUSTOM--EVIDENCE.

The question of the applicability of work alleged as common improvement must be determined from the particular facts and circumstances of each case, and the fact that a custom existed in the shale regions to perform work on oil shale claims according to a certain method will not suffice where the rules of law relating to group assessment work are not fulfilled.

OIL SHALE LANDS--MINING CLAIM--ASSESSMENT WORK--PATENT.

Fulfillment of the annual assessment work requirement of section 2324, Revised Statutes, is a prerequisite to continuing ownership as against the Government until patent issues.

OIL SHALE LANDS--MINING CLAIM--ASSESSMENT WORK--FORFEITURE--RELOCATION.

As between the Government and a mining claimant the test of the validity of the latter's oil shale claim is found in the provisions of section 37 of the leasing act, and not in that part of section 2324, Revised Statutes, which defines his rights with respect to some stranger who seeks to relocate the claim.

OIL SHALE LANDS--MINING CLAIM--ASSESSMENT WORK--FORFEITURE--TRESPASS.

Where subsequent to the passage of the leasing act, a claimant of an oil shale location fails to perform the annual assessment work within the period prescribed by law, all his rights against the Government in and to the location are extinguished, and entry and performance thereafter by him or his successors of work on the claim constitute a trespass and neither revives nor initiates any rights.

OIL SHALE LANDS--MINING CLAIM--DISCOVERY--STATUTES.

The concluding words of section 37 of the leasing act, "which claims may be perfected under such laws, including discovery," do not indicate that mining claims having imperfections other than lack of discovery are excepted from the operation of the act.

OIL SHALE LANDS--WITHDRAWAL--FORFEITURE--JURISDICTION--STATUTES.

The leasing act repealed as to oil shale deposits the general provisions of the mining law and withdrew them from location and disposition thereunder, and was a legislative assertion of control and ownership thereof by the United States, except as specifically provided in section 37 of the act; no affirmative action, such as physical reentry or the institution of proceedings, is necessary in order to terminate the rights of a defaulting mining claimant.

OIL SHALE LANDS--MINING CLAIM--FORFEITURE--RESUMPTION OF ASSESSMENT WORK--ESTOPPEL.

Mineral deposits that are within the purview of the leasing act, in lands covered by mining locations, become, upon default in maintenance of such claims, subject to disposition under that act, and subsequent resumption of work thereon does not serve to divest the Government of its proprietary title, nor does the fact that work is resumed prior to the initiation of adverse proceedings to determine the validity of a claim operate as an estoppel against the Government.

OIL SHALE LANDS--MINING CLAIM--POSSESSION--ADVERSE CLAIM--WITHDRAWAL--COURTS--LAND DEPARTMENT--JURISDICTION.

Questions concerning the respective rights of adverse claimants to possession of mineral lands, under location thereof, are to be determined by the courts, but for administrative purposes the Land Department has jurisdiction to determine whether at the date of a withdrawal a valid right had attached to any tract within the limits of the withdrawal.

"N" Glenwood Springs 022364.

SMALLHORN OIL SHALE REFINING COMPANY AND
FREDERICK J. CRAMPTON.

(Decided by First Assistant Secretary Finney, March 2, 1928.)

OIL SHALE LANDS--OIL AND GAS LANDS--PATENT--RESERVATIONS--WORDS AND
PHRASES--STATUTES.

The word "oil" as used in the act of July 17, 1914, includes oil shale, and a recital in a patent issued pursuant to that act, reserving to the United States all the oil and gas in the lands patented, is sufficient to reserve the oil shale deposits.

OIL AND GAS LANDS--OIL SHALE LANDS--PROSPECTING PERMIT--HOMESTEAD ENTRY--
SURFACE RIGHTS--PREFERENCE RIGHT--STATUTES.

Section 20 of the act of February 25, 1920, which grants a preference right to a surface entryman in the award of a permit to prospect for oil and gas in the entered lands relates to oil and gas deposits to be obtained by means of drilling wells and it has no application to oil shale deposits.

"X" Great Falls 062649, 068668, 061554.

RALPH T. RICHARDS.

(Decided by First Assistant Secretary Finney, March 10, 1928.)

WITHDRAWAL--MINERAL LANDS--COAL LANDS--ASPHALTUM--MINING CLAIM--STATUTES.

The act of June 25, 1910, permitted mining locations upon land withdrawn thereunder containing minerals "other than coal, oil, gas or phosphate," and locations upon lands withdrawn pursuant to that act were not restricted solely to metalliferous minerals prior to the passage of the amendatory act of August 24, 1912.

ASPHALTUM--OIL AND GAS LANDS--WORDS AND PHRASES--STATUTES--WITHDRAWAL.

A deposit of sand asphalt or sandstone heavily saturated with asphaltic minerals in hard solid formation is not "oil" within the meaning of the act of June 25, 1910.

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COAL LANDS--WITHDRAWAL.

A coal land withdrawal continues to be effective so long as it remains unrevoked, notwithstanding that the withdrawn lands had been classified as noncoal prior to the withdrawal.

STATUTORY CONSTRUCTION--EVIDENCE--PRESUMPTION.

Under the general rule of law a statute is in force and operation during the entire day of its approval, subject to the privilege of any person having a substantial right that may be affected thereby to prove that a claim filed on that day was actually initiated before the exact time of the approval of the act.

"N" Salt Lake City 040083, 040084, 040085.

ASSESSMENT WORK ON OIL SHALE CLAIMS.

(Instructions by First Assistant Secretary Finney to the Commissioner of the General Land Office, March 10, 1928.)

OIL SHALE LANDS--MINING CLAIM--ASSESSMENT WORK--STATUTES.

The applicability of assessment work on oil shale claims is to be adjudicated under the rules of the general mining laws unaffected by the act of February 12, 1903.

OIL SHALE LANDS--MINING CLAIM--GROUP DEVELOPMENT--ASSESSMENT WORK--STATUTES.

Oil shale claimants who performed assessment work upon the theory that the act of February 12, 1903, applied to such claims, are not prejudiced thereby, inasmuch as under the liberal construction heretofore expressed in numerous departmental decisions, any group assessment work that will meet the requirements of that act will satisfy the requirements of section 2324, Revised Statutes.

OIL SHALE LANDS--MINING CLAIM--GROUP DEVELOPMENT--EXPENDITURES--PATENT--ASSESSMENT WORK--EVIDENCE--BURDEN OF PROOF.

Work of strictly an exploratory nature, performed on a group of oil shale claims such as work that is shown to have value in determining the oil bearing character of the shale on a contiguous group of claims, is acceptable as expenditure required as a basis for patent, other essentials of the rules of group development being established; and work of similar character may also be credited as annual assessment work where an antecedent discovery is shown; but the burden of proof is upon the claimant both under the act of February 12, 1903, and under section 2324, Revised Statutes.

PRIOR DEPARTMENTAL INSTRUCTIONS AMPLIFIED.

Instructions of November 12, 1927 (52 L. D. --), amplified.

BENIGNO MURILLO.

(Decided by First Assistant Secretary Finney, April 4, 1928.)

CULTIVATION--ENLARGED HOMESTEAD--STOCK-RAISING HOMESTEAD--RULES AND REGULATIONS.

A departmental ruling abrogating the privilege under the enlarged homestead act of reducing the area of cultivation, based on the physical condition of the land, if, at the date of the application to enter, the land was designated and subject to entry under the stock-raising homestead act, will not be applied retroactively to affect adversely the rights of a homesteader who made entry prior thereto.

DEPARTMENTAL DECISION OVERRULED--DEPARTMENTAL INSTRUCTIONS CONSTRUED.

Case of Lelia May Spruill (50 L. D. 549), overruled; instructions of February 1, 1924 (50 L. D. 260), construed.

"C" Santa Fe 045405.

CONSTRUCTION OF SECTION 27 OF THE LEASING ACT, AS AMENDED BY THE ACT OF APRIL 30, 1926, WITH RESPECT TO OPERATING AGREEMENTS.

(Opinion by First Assistant Secretary Finney, April 25, 1928.)

OIL AND GAS LANDS--PROSPECTING PERMIT--LEASE--OPERATING AGREEMENT--LIMITATION AS TO ACREAGE--DISCOVERY--STATUTES.

Section 27 of the leasing act, as amended by the act of April 30, 1926, does not prohibit a contractor from contracting with any number of permittees, regardless of the acreage involved, but, when discoveries are made and leases are sought, he will be limited in holdings to interests which will not exceed 2,560 acres on a structure, or 7,680 acres in a State.

OIL AND GAS LANDS--PROSPECTING PERMIT--ASSIGNMENT--OPERATING AGREEMENT--DISCOVERY.

An operating agreement, notwithstanding that it may amount to an assignment of an oil and gas prospecting permit, need not be submitted to the Department for approval prior to discovery.

OIL AND GAS LANDS--PROSPECTING PERMIT--OPERATING AGREEMENT--DISCOVERY--
LIMITATION AS TO ACREAGE.

Operating contracts in excess of 2,560 acres on a structure, or 7,680 acres in a State, may be disposed of prior to discovery.

OIL AND GAS LANDS--PROSPECTING PERMIT--LEASE--OPERATING AGREEMENT--
LIMITATION AS TO ACREAGE--CONSPIRACY--STATUTES.

The restriction in the third proviso to the act of April 30, 1926, which amended section 27 of the leasing act, against combinations in restraint of trade, has reference only to leases, and an operating contract, even though it may include more than 2,560 acres on a structure, or 7,680 acres in a state, is not in violation of the laws of the United States.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 24, 1928.

To All Field Officers

of the General Land Office:

Sirs:

By departmental order of May 15, 1928, the detail of Captain George E. Hair to the Office of the Secretary as Assistant Chief Inspector, Department of the Interior, was terminated effective at the close of May 14, 1928, and it was stated that his status upon return to the General Land Office would be that of Chief Inspector of the General Land Office.

In conformity therewith, all communications formerly addressed to the Assistant Chief Inspector, Department of the Interior, will hereafter be addressed to the Chief Inspector, General Land Office, and all communications formerly addressed to the Division Inspectors or Inspectors, Department of the Interior, will hereafter be addressed to the same parties as "Division Inspector, or Inspector, General Land Office."

The Chief Inspector, Division Inspectors, and Inspectors of the General Land Office will sign all communications with their new titles.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1147.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 2, 1928.

EXTENSIONS OF TIME OF OIL AND GAS PROSPECTING
PERMITS UNDER ACTS OF JANUARY 11, 1922; APRIL
5, 1926, AND MARCH 9, 1928. CIRCULARS NOS.
801, 946, 1041, and 1063 SUPERSEDED.

Registers,

United States Land Offices.

Gentlemen:

The act of Congress approved January 11, 1922 (42 Stat. 356),
provides that the Secretary of the Interior may

if he shall find that any oil or gas permittee has been
unable with the exercise of diligence to begin drilling
operations, or to drill wells of the depth and within the
time prescribed by section 13 of the act of February 25, 1920,
extend the time for beginning such drilling or completing
it to the amount specified in the act for such time not exceed-
ing three years and upon such conditions as he shall prescribe.

The act of April 5, 1926 (44 Stat. 236), authorizes the Secretary of
the Interior to grant extensions for an additional period of two years

if he shall find that the permittee has been unable, with the
exercise of reasonable diligence, to begin drilling operations
or to drill wells of the depth and within the time required by
existing law or has drilled wells of the depth and within the
time required by existing law and has failed to discover oil or
gas, and desires to prosecute further exploration.

By act approved March 9, 1928 (Public No. 118), the Secretary is
given authority to extend for an additional period of two years any oil or gas
prospecting permit issued under the act of February 25, 1920, or extended
under the act of January 11, 1922, or as further extended under the act of
April 5, 1926.

if he shall find that the permittee has been unable with the exercise of reasonable diligence to begin drilling operations or to drill wells of the depth and within the time required by existing law, or has drilled wells of the depth and within the time required by existing law and has failed to discover oil or gas, and desires to prosecute further exploration.

Sec. 2. Upon application to the Secretary of the Interior, and subject to valid intervening rights and to the provisions of section 1 of this act, any permit which has already expired because of lack of authority under existing law to make further extensions, may be extended for a period of two years from the date of the passage of this act.

Accordingly, the owner of an oil and gas prospecting permit may secure an extension of time thereon for beginning or completing drilling operations, by filing an application therefor showing that he is entitled to such extension under the provisions of one of said acts. The application may be filed in the district land office having jurisdiction over the land involved or in the General Land Office, and must be under oath or accompanied by the affidavit of the permittee, or his attorney in fact, where such attorney has been given full control of operations under the permit, and corroborated by the affidavit of at least one disinterested person having knowledge of the facts. The applicant must show:

(1) That the corners of the claim have been marked with substantial monuments and that a notice has been posted as required by paragraph 1 of the permit, as there is no provision of law under which the time may be extended for compliance with that requirement.

(2) What efforts, if any, have been made to comply with the terms of the permit, the reasons for delay in the full compliance therewith, and when he expects to commence or resume operations and any arrangements made to drill the permit lands; if the permittee has entered into a contract to drill the land, the application must be supported by the affidavit of the drilling contractor as to the terms of the contract, the means at his command for carrying out the same, and the time when he expects to begin drilling operations thereunder.

(3) The drilling activities on the geologic structure on which the permit land is located, or within ten miles thereof, and the location of any oil or gas well being drilled by section, township and range with full information as to when the well was begun, its approximate depth, and the prospects for discovery of oil or gas.

Contribution development programs, proposing a joint test by a group of permittees should be submitted to the Department at their inception in order that it may be determined whether, upon the facts disclosed in a given case, any and all permittees proposing to contribute may do so with the

assurance that so long as the test is diligently prosecuted through their efforts, but limited to the period provided for in the leasing act and the acts granting extensions, drilling on their own permits will be excused.

If the application for extension of time is based on contribution made by the permittee toward sinking of a test well upon the structure, the location of the well, full disclosure of the amount and nature of such contributions and the conditions under which the same were made must be shown, which showing must be corroborated by the affidavit of one or more of the parties under whose authority the well is being drilled. Every application of this nature will be submitted to the Geological Survey for report, and if the report is unfavorable, the application will be rejected subject to appeal. If the Survey shall report that it is without sufficient data as to structures in the region upon which to base any recommendation, only contributions by permittees, any portion of whose permit areas which could be lawfully drilled lies within a six-mile square formed by going three miles in each cardinal direction from the northeast corner of the legal subdivision on which the test well is found, or from the corner nearest which the test well is shown to be found, will be recognized.

The purchase of capital stock of a corporation which is drilling for oil or gas in unproven territory and which is dependent upon the sale of its stock for the continuation of its drilling operations, by the holder of a prospecting permit for lands upon the same structure as that where the drilling is carried on may be considered a contribution toward the cost of proving the structure which will warrant allowance of extension of time in which to comply with the terms of his permit, if contribution may be considered acceptable in other respects, and if the stock does not have a market value or is not salable. Clearly, if the stock has a market value the stock is in itself a consideration for the purchase price and there is no contribution as contemplated here. Purchase money for stock which does not go to the corporation or which is not needed or used to meet the cost of testing the structure, is not a contribution which can be accepted as sufficient in this connection.

In order to make the purchase of stock acceptable as a contribution applicable in the matter under consideration, the Department must be satisfied that the purchase induced the corporation to begin, or to continue drilling, when in the absence of such purchase it would not have begun, or continued to drill. That does not mean, of course, that the purchase of stock by one permit holder must be sufficient, in and of itself, as an inducement but that several permit holders may join in making contributions by means of purchasing stock.

While no rule can be laid down which will govern every case of this nature, the Department will insist that contributions shall be substantial, taking into consideration the contributing permit holder's area, the amount that has been expended in the test or the estimated cost thereof, and the sources of means therefor.

Any extension of time to perform one of the acts required by the permit necessarily extends for the same period the time for the performance of all subsequent requirements. Where a permit bond has been filed which does

not by its terms cover extension of the permit, the consent of the surety company to an extension of its bond concurrent with the life of the permit as extended will be required, (a) where the surface rights are embraced in a prior valid homestead entry, (b) where a reclamation project is involved, and (c) where drilling has been done on the permit land. In the latter case the bond must be kept in force until a \$5,000 drilling bond is furnished by the permittee, or his contractor, at the time the notice of intention to drill is filed with the Supervisor of Oil and Gas Operations, Geological Survey, for the district in which the land is located, which bond and drilling plan must be approved by the Supervisor before drilling is commenced, as provided by Circular No. 1111.

This circular will supersede Circulars Nos. 801, 946, 1041, and 1063.

You will give the widest publicity to the above regulations that may be possible without expense to the United States.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: May 2, 1928.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1148

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 3, 1928.

Registers,

U. S. Land Offices.

Gentlemen:

Hereafter you will carry as "unearned moneys" all payments of purchase moneys tendered in connection with final proofs on homestead, desert-land, timber and stone, and mineral entries where final certificate is withheld, except payments of deferred installments on homestead entries embracing lands within ceded Indian reservations.

Paragraph 85 of Circular No. 616 approved August 9, 1918, is amended accordingly.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: May 3, 1928.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1149.

Extensions of Time under Coal Permits.

Instructions under the act of
March 9, 1928. (Public No. 114.)

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 3, 1928.

Registers,

United States Land Offices.

Gentlemen:

By act of Congress approved March 9, 1928 (Public No. 114), the Secretary of the Interior was authorized to grant an extension of time for a period of two years on any coal prospecting permit issued under the act of February 25, 1920 (41 Stat. 437). The act, which does not apply to Alaska, is as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any coal prospecting permit issued under the act entitled 'An Act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain', approved February 25, 1920, as amended, may be extended by the Secretary of the Interior for a period of two years, if he shall find that the permittee has been unable, with the exercise of reasonable diligence, to determine the existence or workability of coal deposits in the area covered by the permit and desires to prosecute further prospecting or exploration, or for other reasons in the opinion of the Secretary warranting such extension.

Sec. 2. Upon application to the Secretary of the Interior, and subject to valid intervening rights and to the provisions of section 1 of this act, any coal permit that has already expired because of lack of authority under existing law to make extensions, may, in the discretion of the Secretary, be extended for a period of two years from the date of the passage of this act."

Accordingly, a permittee who has been unable with the exercise of reasonable diligence to determine the existence or workability of the coal deposits, or who gives other reasons, which, in the opinion of the Secretary,

warrant an extension, and who desires to prosecute further prospecting, may, if the facts warrant, be granted an extension of time upon filing an application therefor, accompanied with his own affidavit setting forth what efforts, if any, he has made to comply with the terms of his permit and the reasons for failure fully to comply therewith, such showing to be corroborated by the affidavit of at least one disinterested person having actual knowledge of the facts.

Under the second section of the act, even where a permit expired prior to the passage of the act, it may be extended for a period not exceeding two years from the date of the act subject to valid intervening rights and to the provisions of section 1 of the act. In no case would an extension under section 2 go beyond March 9, 1930.

As the permit bond is limited to the period for which the permit was granted, the permittee must furnish with an application for extension a properly executed assent by the surety to the extension of his bond to cover the life of the permit as it will be extended if an extension is granted, or furnish a new bond.

The application for extension may be filed in the General Land Office or in the local land office having jurisdiction over the land involved by the permit, to be promptly forwarded by the register to this office. The application should show how much additional time is considered necessary to complete prospecting work. Extensions will be limited to such period, not exceeding the two years authorized, as may be determined to be allowable under the circumstances in each particular case.

You will give to the regulations the widest publicity possible without expense to the Government.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: May 3, 1928.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1150.

REGULATIONS FOR THE SALE OF LOTS IN THE TOWNSITE OF PARSHALL
IN THE FORMER FORT BERTHOLD INDIAN RESERVATION, NORTH DAKOTA.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 16, 1928.

Register,

Bismarck, North Dakota.

Sir:

Requests have been made for the public sale of unsold lots in the townsite of Parshall, in the former Fort Berthold Indian Reservation, North Dakota and it appears that a sale should be held.

It is therefore recommended that the unsold lots in said townsite be offered for sale at public outcry, at not less than the reappraised value attached hereto, and approved hereby, at the time and place, in the manner, and under the terms hereinafter prescribed, as provided in section 6 of the act of June 1, 1910 (36 Stat. 455), which section requires 20 per cent of the net proceeds of the sale to be set apart and expended under the direction of the Secretary of the Interior in the construction of schoolhouses or other public buildings or improvements in the townsite.

Time and Place of Sale.--Beginning on June 14, 1928, and continuing thereafter from day to day, Sundays and holidays excepted, as long as may be necessary, at Parshall, North Dakota, under your supervision.

Manner.--Bids may be made either in person or by agent, but not by mail nor at any time or place other than the time and place when the lots are offered for sale hereunder, and any person may purchase any number of lots for which he is the highest bidder. Bidders will not be required to show qualifications as to age, citizenship, or otherwise. If any successful bidder fails to make the payment required on the date of the sale, the lot awarded to him shall be reoffered for sale on the following day.

Terms.--Payments will be required as follows:
No lot will be disposed of for less than \$10, and any lot sold for \$10 must be paid for on the day it is sold; the minimum of \$10 and at least 25 per cent of the bid price of each lot sold for more than \$10 must be paid on the date of the sale, and the remainder, if the price bid is \$50 or less, within one year from the date of the sale; if the price be over \$50 and less than \$100, 75 per cent of the cost may be divided into two equal payments due, respectively, one and two years from the date of the sale; if

the price bid be \$100 or more, the 75 per cent remaining unpaid may be divided into three equal payments, due, respectively, one, two, and three years from the date of sale. No entry will be allowed until payment has been made in full for the lot, but in case of partial payment the Register will issue a non-transferable memorandum duplicate certificate showing the amount of the bid and the terms of the sale; and reciting the right of the purchaser to make entry upon completing the payments; and will issue a memorandum receipt for the money paid.

Nothing herein will prevent the transfer of the interests secured by the purchase and the partial payment of the lot, by deed, but the assignee will acquire no greater right than that of the original purchaser, and the final entry and patent will issue to the original purchaser when all payments are made.

Forfeiture.--If any person who has made partial payment on the lot purchased by him fails to make any succeeding payment required under these regulations at the date such payment becomes due, the money deposited by such person for such lot will be forfeited and the lot, after forfeiture is declared, will be subject to disposition.

All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously or which will in any way hinder or embarrass the sale, and all persons so offending will be prosecuted under section 59 of the Criminal Code of the United States, which reads as follows:

"Whoever, before or at the time of the public sale of any of the lands of the United States, shall bargain, contract, or agree, or attempt to bargain, contract, or agree with any other person, that the last-named person shall not bid upon or purchase the land so offered for sale, or any parcel thereof; or whoever by intimidation, combination, or unfair management shall hinder or prevent, or attempt to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale, shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both."

You may reject any and all bids for any lot. At the conclusion of the offering the sale will be closed and the lots remaining unsold or thereafter declared forfeited will become subject to private sale for cash at their appraised value in your office.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: May 16, 1928.

E. C. FINNEY,

First Assistant Secretary.

APPRAISEMENT OF LOTS TO BE OFFERED AT PUBLIC SALE IN THE TOWNSITE OF
PARSHALL, NORTH DAKOTA, BEGINNING ON June 14, 1928.

Lot Nos.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Block 1					25	25	25	30									
6	25	25															
12												75	75	70	70		
13	70	60	60	60	60	60	60	70									
14		40	40	40	40	40	40		60	50	50	50	50	50	50	60	
15		50	50	50	50	50	50	60	60	50	50	50	50	50	50	60	
16	70	60	60	60	60	60	60	70		60	60	60	60	60	60	70	
17												70					
18						70											
19		50	50	50	50	50	50	60					70	70			
20	50	40	40	40	40	40	40	40				50	50	50	50	60	
21	50	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	
22	40	30	30	30	30	30	30	30	25	40	30	30	30	30	30	30	40
23	40	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	
24	40	30	30	30	30	30	50	40	50	50	50	50	50	60			
25				60							60	60	70				
26		300	200		200	250	70	60	60	60	60	70					
27	60	50	50	50	50	50	60	40	40	40	70						
28	50	40	40	40	50	40	40	40	40	50							
29	50	40	30	30	30	30	30	30	30	30	30	30	30				
30	50	30	30	30	30	30	50	30	30	30	30	40					
32	60	40	40	40	40					50							
33	50	30	30	30	25	30	30	30	30								
34	30	25	25	25	30	25	25	25									
35	30	25	25	30	25	25											
38	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	
39	30	25	25	25	25	25	25	25	40	30	30	30	30	30	30	30	
40	40	30	30	30	30	30	30		35	30	30	30	30	30	30	30	
41			25	25	25	25			25	25							
42	25	25	25	25	25	25	25		25	25	25	25	25				

Circular No. 1151.

GENERAL INFORMATION RELATIVE TO BOUNTY LAND WARRANTS.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 17, 1928.

1. Warrants for bounty lands were and are issued by the Commissioner of Pensions for services in wars or battles prior to March 3, 1855, only. Applications for the issuance of warrants should be addressed to that official.

2. Warrants can not now be "located" upon the public lands. The locating privilege was denied except in the State of Missouri after the passage of the act of March 2, 1889 (25 Stat. 854), and there are now no lands known to this office to be subject to warrant location in Missouri.

3. A warrant for bounty lands may be used as cash in commuted homestead, desert land and timber and stone entries and for lands sold at public auction, except ceded Indian lands.

4. In the instances mentioned above, warrants are received as the equivalent of money to the extent of their valuation at \$1.25 per acre, and it is not necessary to apply the warrant to a specific tract. For instance, a 40-acre warrant will be received as \$50 cash in payment or part payment of the money due.

5. In order to use a warrant as indicated above it is necessary for the party to make application under one of the four classes mentioned and all residence upon and cultivation and improvement of the tract, which may be required by such law and the regulations thereunder, must be fully complied with.

6. The question of the validity of the assignments of warrants will be determined when the warrant is surrendered to this office as cash in connection with an application for land.

IDENTIFICATION OF LANDS PATENTED IN SATISFACTION
OF LAND WARRANTS.

7. Inquiries are constantly being received in this office to ascertain whether a particular soldier has received a grant of land on account of military service. These inquiries are often for the purpose of obtaining information in order to qualify applicants for eligibility in the National Society, Daughters of American Revolution.

8. In order that this office may best answer such inquiries, it is suggested that as much of the following information as is available be furnished:

- (a) The full name of the soldier.
- (b) The period of his service.
- (c) The State from which he entered the service.
- (d) The date of his death.
- (e) The name of his widow.
- (f) The number of the warrant, the acreage, and the act of Congress under which the warrant was issued.
- (g) Legal description of the land upon which the warrant is supposed to have been located.
- (h) If the legal description is not known, describe the land with respect to its distance and direction from some town or city, naming the State in which it is supposed to be located.

9. The public lands in those States bearing the names of the original 13 colonies, also in Kentucky, Maine, Tennessee, Texas, Vermont, and West Virginia, were disposed of by the State authorities. Therefore, this office has no record of land grants, warrant locations or land entries made therein and it is suggested that any grant made in such States would probably have been made by the State authorities.

10. The following is a list of officials to be addressed relative to lands in the States mentioned:

Connecticut, The State Treasurer, Hartford.

Delaware, Chairman, Public Lands Commission,
Dover.

Georgia, Secretary of State, Atlanta.

Kentucky, Auditor for State, Frankfort.

Maine, State Land Agent and Forest Commissioner, State House, Augusta.

Maryland, Land Commissioner, Annapolis.

Massachusetts, Department of Conservation, State House, Boston.

New Hampshire, State Forester, Concord.

New Jersey,	Board of Conservation and Development, Trenton.
New York,	Commissioner of Land Office, Albany.
North Carolina,	Secretary of State, Raleigh.
Pennsylvania,	Secretary of Internal Affairs, Harrisburg.
Rhode Island,	No State land.
South Carolina,	Secretary, Sinking Fund Commission, Columbia.
Tennessee,	State Board of Control, Nashville.
Texas,	Commissioner, General Land Office, Austin.
Vermont,	Commissioner of Forestry, Montpelier.
Virginia,	Register of Land Office, Richmond.
West Virginia,	State Tax Commissioner, or State Auditor, Charleston.

WILLIAM SPRY,

Commissioner.

Circular No. 1152.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

"A" HCG 1302742

May 26, 1928.

Increased Compensation of Registers.
Act May 21, 1928, Public No. 459.

Registers,

District Land Offices.

Sirs:

Attention is invited to the act approved May 21, 1928 (Pub. No. 459), which reads as follows:

"That from and after the beginning of the next fiscal year the compensation of registers of local land offices shall be a salary of \$1,000 per annum each and all fees and commissions now allowed by law to such registers, but the salary, fees, and commissions of such registers shall not exceed \$3,600 each per annum: Provided, That the salary of the register, of the Juneau land district, Alaska, shall be \$3,600 per annum."

You will govern yourselves accordingly.

The act supersedes the act of July 19, 1919 (41 Stat., 194), so far as the register of the Juneau land district, located at Anchorage, Alaska, is concerned.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: May 26, 1928.

E. C. FINNEY,

First Assistant Secretary.

RECENT EXECUTIVE ORDERS.

The trust period on certain allotments of the Prairie Band of Pottawatomi Indians in Kansas, which would have expired in 1928, has been extended for 10 years by order of April 16, 1928.

By orders of April 23 and 24, 1928, the public lands in Ts. 45 and 47 N., R. 83 W., 6th P. M., Wyoming, have been released from resurvey withdrawal and restored.

Executive order of June 22, 1915, creating Alaskan Timber Reserve No. 1, reserving the timber on certain lands in Alaska, reduced by previous orders, has been revoked by order of April 27, 1928, in so far as it affects the timber on the remainder of the areas included in the original order.

By order of April 27, 1928, the boundaries of the Harney National Forest in South Dakota have been changed by the exclusion of certain lands.

The order of November 14, 1927, withdrawing certain lands in the counties of Lake of the Woods and Roseau, 5th P. M., Minnesota, in order to carry into effect the provisions of the act of May 22, 1926 (44 Stat., 617), has been revoked and other lands in said State withdrawn by order of April 28, 1928.

By order of May 3, 1928, certain lands in New Mexico have been withdrawn for national park or monument purposes.

Under orders of May 3, 1928, certain lands in Utah and Nevada have been withdrawn for use by the Department of Commerce in the maintenance of air navigation facilities.

By orders of May 3, 1928, the public lands in T. 42 N., R. 89 W., and T. 44 N., R. 91 W., 6th P. M., Wyoming, and in T. 44 N., R. 15 W., N.M.P.M., Colorado, have been released from resurvey withdrawal and restored.

The order establishing the McClellan National Forest, Alabama, under Sec. 9 of the act of June 7, 1924 (43 Stat. 655), on a portion of the Camp McClellan Military Reservation, has been revoked by order of May 4, 1928.

By order of May 9, 1928, the boundaries of the Manti National Forest in Utah have been changed by the addition of certain lands.

Under order of May 16, 1928, the public lands in Ts. 53 N., Rs. 62 and 63 W., 6th P. M., Wyoming, are withdrawn pending resurvey.

By order of May 17, 1928, the order establishing the Jackson National Forest, South Carolina, under Sec. 9 of the act of June 7, 1924 (43 Stat., 655), on a portion of the Camp Jackson Military Reservation, has been revoked.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

798)
DAHO:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Twelve hundred acres in Oneida County, Blackfoot land district, opened to entry only under the homestead or desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning May 31, 1928. Applications of ex-service men may be presented the United States land office at Blackfoot at any time within 20 days prior to that date. On and after August 30, 1928, if the land is unentered, it will be subject to appropriation under any public land law applicable thereto by the general public.

The lands were released from stock driveway withdrawal, and further information may be obtained from the United States land office at Blackfoot, Idaho.

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799)
MONTANA:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 1,500 acres in Phillips and Valley counties will be opened to homestead and desert-land entry beginning June 4, 1928, for a period of 92 days, to ex-service men of the World War, subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the United States land office, Great Falls, Montana, during the 20 days preceding that date, or from May 15 to June 3, 1928, inclusive. All conflicts up to 9 a. m. June 4, 1928, will be decided by drawing. Any lands remaining unentered after the expiration of the 92-day period, or beginning September 4, 1928, will be open to entry under any applicable public land law by the general public, and prospective applicants may present their applications within the 20 days preceding or beginning August 15, 1928, and all applications so filed will be treated as though simultaneously filed.

Large portions of the lands are included in a petroleum reserve; therefore an agricultural applicant for such land must waive his right to the oil and gas content in the land, and must file consent to take the lands subject to the right of any permittee or lessee whose rights were initiated prior to the filing of the agricultural application to use so much of the surface of the land as may be necessary in prospecting for and removing the oil and gas deposits without compensation to the agricultural applicant therefor.

The Great Northern Railroad runs in the vicinity of the lands which are in the neighborhood of the towns of Dodson, Malta, Saco, Beaverton, and Vandalia. Available information indicates that the majority of the lands are gently rolling lands, good for farming purposes.

EFFECTIVE DATES.

oldiers' simultaneous filing period:

May 15 to June 3, 1928, inclusive.

reference period for ex-service men:

June 4 to September 3, 1928, inclusive.

simultaneous filing period for public:

August 15 to September 3, 1928, inclusive.

lands open to general public: September 4, 1928.

(800)
CALIFORNIA:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 900 acres in Fresno County will be opened to homestead and desert-land entry beginning May 14, 1928, for a period of 92 days, to ex-service men of the World War, subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men at the United States land office, Sacramento, California, during the 20 days preceding that date, or from April 24 to May 13, 1928, inclusive. All conflicts up to 9 a. m. May 14, 1928, will be decided by a drawing. Any lands remaining unentered after the expiration of the 92-day period or beginning August 14, 1928, will be open to entry under any applicable public land law by the general public, and prospective applicants may present their applications within the 20 days preceding or beginning July 25, 1928, and all applications so filed will be treated as though simultaneously filed.

No railroad runs in the vicinity but the nearest town appears to be Academ. Available information indicates that the lands are broken and mountainous.

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(801)
WYOMING:

RECOVERED THROUGH RECONVEYANCE.

Six hundred and forty acres in Lincoln County, Evanston land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days beginning June 6, 1928. The applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 5, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through reconveyance, has been designated as subject to entry under the enlarged and stock-raising homestead acts, and has been classified as coal land. It is also embraced in outstanding oil and gas prospecting permits, granted under the act of February 25, 1920 (41 Stat. 437). Further information, if desired, may be obtained from the United States land office at Evanston, Wyoming.

(802)
UTAH:

RECOVERED THROUGH RECONVEYANCE.

Three hundred and twenty acres in Utah County, Salt Lake City land district opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days beginning June 8, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 7, 1928, the land if unentered will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through reconveyance, and has been designated as subject to entry under the enlarged homestead act. Further information, if desired, may be obtained from the United States land office at Salt Lake City, Utah.

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(803)
OREGON:

RECOVERED THROUGH RECONVEYANCE.

Three hundred and seventeen and thirteen hundredths acres in Lake County, Lakeview land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws, for a period of 91 days beginning with June 8, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 7, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through reconveyance, and has been designated under the enlarged homestead act. Further information, if desired, may be obtained from the United States land office at Lakeview, Oregon.

(804)

WASHINGTON:

RECOVERED THROUGH RECONVEYANCE.

One hundred and twenty acres in Ferry County, Spokane land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days beginning with June 8, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 7, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through reconveyance. Further information, if desired, may be obtained from the United States land office at Spokane, Washington.

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(805)

WYOMING:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Eighty acres in Fremont County, Cheyenne land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days beginning June 7, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 6, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public. The land has been released from stock driveway withdrawal, and further information may be obtained from the United States land office at Cheyenne, Wyoming.

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(806)

IDAHO:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Three hundred and twenty acres in Power County, Blackfoot land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days beginning June 7, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 6, 1928, the land if unentered will be subject to appropriation under any applicable public land law by the general public.

The lands have been released from stock driveway withdrawal, and further information may be obtained from the United States land office at Blackfoot, Idaho.

(807)
IDAHO:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Forty acres in Fremont County, Blackfoot land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days beginning June 7, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 6, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been released from stock driveway withdrawal and further information, if desired, may be obtained from the United States land office at Blackfoot, Idaho.

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(808)
NEW MEXICO:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Three hundred and twenty acres in Chaves County, Las Cruces land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days beginning June 7, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 6, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public. The land has been released from stock driveway withdrawal, and further information may be obtained from the United States land office at Las Cruces, New Mexico.

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(809)
COLORADO:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Two hundred and forty acres in Garfield County, Denver land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days beginning June 7, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 6, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The lands have been released from stock driveway withdrawal, and further information may be obtained from the United States land office at Denver, Colorado.

(810)
COLORADO:

FROM SEGREGATION UNDER THE CAREY ACT.

Forty-one thousand eight hundred forty-seven and nine one hundredths acres of land in Moffat and Routt counties, Denver land district, opened to homestead and desert-land entries by qualified ex-service men of the World War, beginning June 18, 1928, and opened to entry by the general public under applicable public land laws on September 17, 1928. The soldiers' simultaneous filing period is from May 29 to June 17, 1928, inclusive, and the simultaneous filing period for the general public from August 28 to September 16, 1928, inclusive.

The greater portion of the land is located near the town of Great Divide. The nearest railroad towns appear to be Craig and Hayden, which are situated on the Denver & Salt Lake Railroad.

The lands involved are mainly located in a region of insufficient rainfall during normal years for successful dry farm development. One area located in T. 7 N., R. 88 W., 6th P. M., receives a higher rainfall than the remaining land but according to available data it is largely nontillable. Under these circumstances the lands are regarded as principally valuable for grazing and raising forage crops.

(811)
IDAHO:

FROM SEGREGATION UNDER THE CAREY ACT.

One thousand eight hundred and eighty-six and sixty-two hundredths acres of land in Custer and Butte counties, Blackfoot land district, opened to homestead and desert-land entries by qualified ex-service men of the World War, beginning June 15, 1928, and opened to entry by the general public under applicable land laws on September 14, 1928. Some of the land may be found to be subject to a preference right of entry by Carey Act entrymen beginning June 15, 1928.

The soldiers and Carey Act entrymen's simultaneous filing period is from May 26 to June 14, 1928, inclusive, and the simultaneous filing period for the general public from August 25 to September 13, 1928, inclusive.

The lands lie along the Oregon Short Line Railroad and are located in the vicinity of the towns of Darlington and Moore, Idaho. Water for irrigation of the lands is not available and farming without irrigation or dry farming is impracticable because of the low annual precipitation.

The lands are mainly hilly, too rough and noncultivable due either to uneven topography or rocky surface. The vegetation is a sparse growth of sage brush which affords good sheep or cattle range during the spring and fall. The vegetative growth fluctuates from year to year depending on the rainfall. During years of more than normal rainfall there is a luxuriant growth of palatable grasses, but during subnormal years practically all that survives the drouth is the sage brush. Stock water is undoubtedly scarce except along streams at certain seasons of the year.

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(812)
OREGON:

RECOVERED THROUGH CANCELLATION OF PATENT.

Four hundred and eighty acres in Grant County, The Dalles land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days beginning May 31, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after August 30, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through the cancellation of patent, and has been designated under the enlarged and stock-raising homestead acts. Further information, if desired, may be obtained through the United States land office at The Dalles, Oregon.

(813)
OREGON:

RECOVERED THROUGH CANCELLATION OF PATENT.

Six hundred and forty acres in Malheur County, The Dalles land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days beginning May 31, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after August 30, 1928, the land, if unentered, will be subject to appropriation under any applicable land law by the general public.

The land has been recovered by the United States through cancellation of patent, and has been designated under the enlarged and stock-raising homestead acts. Further information, if desired, may be obtained from the United States land office at The Dalles, Oregon.

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(814)
WYOMING:

RECOVERED THROUGH CANCELLATION OF PATENT.

Six hundred and forty acres in Niobrara County, Cheyenne land district, opened to entry only by ex-service men of the war with Germany, under the homestead and desert-land laws, for a period of 91 days beginning May 31, 1928. The applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after August 30, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through cancellation of patent, and has been designated under the enlarged and stock-raising homestead acts. Further information, if desired, may be obtained from the United States land office at Cheyenne, Wyoming.

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(815)
NEBRASKA:

RECOVERED THROUGH CANCELLATION OF PATENT.

Two hundred and thirty-two and seventy-four hundredths acres in Keith County, Alliance land district, opened to entry only by ex-service men of the war with Germany under the homestead laws for a period of 91 days beginning June 11, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 11, 1928, the land, if unentered will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through partial cancellation of patent. Further information, if desired, may be obtained from the United States land office at Alliance, Nebraska.

(816)

UTAH:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Six hundred and forty and eleven hundredths acres, Millard County, Salt Lake City land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days beginning June 15, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after September 13 the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been released from stock driveway withdrawal. Further information if desired may be obtained from the United States land office at Pueblo, Colorado.

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(817)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey of T. 12 S., R. 21 E., N. M. P. M., Chaves County, will be officially filed in the district land office at Las Cruces on July 3, 1928, at 9 a. m.

A portion of the land shown on this plat is embraced in a stock driveway and a portion of Secs. 34 and 35 is withheld from entry pending the preparation of a supplemental plat showing a presumed invasion of School Section 2, in the township to the south.

For 91 days, beginning July 3, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the United States land office at Las Cruces during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on July 3, 1928. On October 2, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area resurveyed: 17,784.10 acres. This township contains some good grazing land in some portions. The greater part of the land is a rolling to rugged limestone formation affording some grazing. There are two small lake basins, one in Sec. 27 and a larger one, called Lucky Lake, lying across the south boundary and in Secs. 32 and 33. The drainage is almost entirely into Rocky Arroyo. This wash drains a large territory through a channel with pockets gouged in the stream bed by water action during floods. These hold the water after the flood has passed and afford watering places for stock.

(818)

IDAHO:

NOTICE OF FILING OF PLATS OF SURVEY.

Notice is herein given that the plats of survey of Ts. 10 and 11 S., R. 5 E., B. M., Owyhee County, Idaho, will be officially filed in the district land office at Blackfoot on July 16, 1928.

For 91 days, beginning July 16, 1928, the unreserved lands represented upon the said plats will be opened to entry under the homestead and desert-land laws by qualified former service men of the World war, and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the United States land office at Blackfoot during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on July 16, 1928. On October 16, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 10 S., R. 5 E.--Area surveyed: 22,897.81 acres. Land: rolling and mountainous. Soil: volcanic ash, stony, second and third rate, covered with a fair growth of native grasses and a dense undergrowth of sage. No indications of mineral were noted. There is no water in the township. There are no settlers in the township. The nearest store and post office is Bruneau, Idaho, about 35 miles distant in a northerly direction.

T. 11 S., R. 5 E.--Area surveyed: 23,016.69 acres. Land: rolling and mountainous. Soil: volcanic ash, second and third rate, covered with a fair growth of native grasses and a dense undergrowth of sage and shadscale except in the southeast portion where the undergrowth is scattering. There are no settlers in the township. There is no permanent water in the township. No indications of mineral were noted. The nearest store and post office is Bruneau, Idaho, about 40 miles distant in a northerly direction.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Washington

May 26, 1928.

ORDER NO. 272.

In carrying into effect the provisions of the Act of April 19, 1928, Pub. No. 283, 70th Congress, entitled "An Act to authorize the granting of leave to veterans of the Spanish-American War to attend the annual convention of the United Spanish War Veterans and auxiliary in Havana, Cuba, in 1928" extended leave will be granted only to those veterans who actually attend the convention in Havana, Cuba.

Those veterans in the field service who by regulation are limited to leave at a rate less than $2\frac{1}{2}$ days per month, will be allowed leave to the maximum permitted by the act; those who do not have 60 days accrued annual leave to their credit will upon application be granted leave without pay in an amount which, together with the annual leave due for the calendar years 1927 and 1928 combined, will not exceed a total of 60 days.

No employee will be granted leave of any kind to attend the convention unless his services can be spared without serious detriment to the work of the unit in which he is employed.

Vacation schedules for the calendar year 1928 should accordingly be so arranged as to grant leave to as many members of the United Spanish War Veterans as possible for the sole purpose of attending the convention.

Heads of bureaus may approve such leave as is authorized by the act, but no salary payments on account of leave accumulated from last year will be made until the employee concerned shall have filed an affidavit, duly executed before a notary public, to the effect that he actually attended the annual convention of the United Spanish War Veterans in Havana, Cuba, giving the dates of departure from and return to place of duty.

Attention is invited to Circular No. 32, dated May 15, 1928, of the Comptroller General of the United States, referring to the above-mentioned act.

Hubert Work

Secretary.

PAYMENT OF SALARIES - EMPLOYEES OF THE UNITED STATES
AND OF THE DISTRICT OF COLUMBIA ATTENDING UNITED SPANISH
WAR VETERANS' CONVENTION, HAVANA, CUBA.

General Accounting Office
Office of the Comptroller General
of the United States
Washington, May 15, 1928.

1928

Circular No. 32

1. The Act of April 19, 1928, Pub. No. 283, 70th Cong., provides:

"* * * That the heads of the executive departments and independent establishments of the Government and the municipal government of the District of Columbia be, and they hereby are, authorized to grant, in their discretion, extended leave not to exceed sixty days in the calendar year 1928 to veterans of the Spanish-American War for the sole purpose of attending the annual convention of the United Spanish War Veterans and auxiliaries in Havana, Cuba: Provided, however, That this statute shall not be construed to modify the provisions of the Act approved March 3, 1893, the Act approved May 23, 1908, and the Act approved February 28, 1925, limiting the annual leave which may be granted with pay to fifteen or thirty days in any one year, except that any portion of the fifteen or thirty days' leave not granted or used during the calendar year 1927, or the fiscal year 1928, may be allowed to accumulate and be pyramided for the purpose herein specified in addition to the fifteen or thirty days' leave with pay in the calendar year 1928 or the fiscal year 1929."

2. In order that credit may be allowed for salary payments to employees of the United States and of the District of Columbia taking leave under the provisions of the above-quoted act the following instructions should be carefully observed by all concerned:

3. Opposite the name of employee in "Remarks" or other appropriate column on the pay roll, or in the "Name" column of the Postal Service schedule of disbursements, there should be noted, until final payment is made, the fact that employee is on leave for the sole purpose of attending the United Spanish War Veterans' convention at Havana, Cuba, giving dates of beginning and ending of leave and the number of days applicable to each year. For example:

(a) Where employee is granted leave on a calendar year basis, for 45 days (disregarding Sundays and holidays for purpose of this illustration), September 15 to October 30, 1928, 30 days of which apply to the calendar year 1928 and 15 days represent unused leave for the calendar year 1927, the following notation should appear on the pay roll:

United Span. War Vet. Conv.
9/15 - 10/30
30 das. 1928; 15 das. 1927

(b) Where employee is granted leave on a fiscal year basis for 30 days from September 21 to October 20, 1928, 15 days of which apply to the fiscal year 1929 and 15 days to the fiscal year 1928, the following notation should be made:

United Span. War Vet. Conv.
9/21 - 10/20
15 das. 1929; 15 das. 1928

4. For pay roll purposes, current calendar or fiscal year leave will be considered as taken first, and payments to employees for such leave will be accepted without requirement of statement as to attendance at the convention. But for all payments for leave accrued but not used during the preceding year, either calendar or fiscal, there will be required a positive statement by the administrative office, noted on the pay roll (or schedule of disbursements in case of the Postal Service), to the effect that evidence of attendance has been received and is on file.

5. The character of evidence that should be required to determine whether an employee is entitled to the benefits of the statute is for administrative consideration, but it is suggested that uniformity with respect to these requirements throughout the Government service is desirable and should be secured to the fullest extent possible.

J. R. McCARL

Comptroller General
of the United States

OIL AND GAS ACTIVITIES.

During the month of May the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 365 new applications and 3,149 cases for consideration. Permits were granted on 445 applications, 108 applications were finally rejected, and 96 were rejected on drawings; 184 applications were finally rejected in part; 326 applications were rejected in entirety subject to appeal and 1 in part; 12 appeals were transmitted to the Secretary; departmental decisions were promulgated in 19 cases, 15 affirming, 2 reversing and 2 modifying decisions of this office; 60 assignments were disposed of, and 461 applications for extensions of time acted upon; 289 permits were held for cancellation and 692 permits were canceled; 2,052 cases were awaiting Survey reports and 14 Reclamation reports; 588 new cases were awaiting Survey reports, and 959 applications were examined and preliminary action taken. 4,770 letters were written of which 257 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 6 leases, involving 2 cases, were delivered to the lessees; 2 lease applications were sent to the Secretary for authorization; 4 leases involving 1 case were mailed to the lessees for execution, and 3 leases involving 2 cases were sent to the Secretary for execution; 11 assignments were disposed of and 16 applications for extensions of time acted upon; 4 applications for reduction of royalty, 12 applications for drilling relief were acted upon; 5 sales contracts were acted upon, 2 bonds released and 1 corrected; 1 permit was held for cancellation and 1 permit canceled; reports from Geological Survey on application for reduction of royalty, and on application to surrender lease were called for; cancellation of lease and waiver of rental thereon in accordance with an act of Congress was forwarded to the Secretary. 104 letters were written of which 21 were replies to inquiries.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of April were \$364,060.02, all from lands outside of naval reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF APRIL, 1928.

Office.	Business of current month.					Pending at end of month.		
	Applications, proofs, etc., received.	Receipts and final certificates issued and miscellaneous.	General Land Office letters received.	Contest cases initiated.	Total.	Pending designations.	Suspended, rejected, or otherwise.	Pending unacted on by Register.
Alaska								6
Anchorage	19	133	28		180			
Fairbanks	37	59	19		115		15	
Arizona								
Phoenix	275	1,164	360	16	1,815	111	192	
Arkansas								
Little Rock	64	752	28	3	847		70	
California								
Los Angeles	245	1,117	279	15	1,656	93	166	
Sacramento	183	1,374	241	17	1,815	214	217	
Colorado								
Denver	219	1,551	332	22	2,124	304	595	
Pueblo	129	937	233	13	1,312	108	136	
Florida								
Gainesville	40	617	65	2	724		20	
Idaho								
Blackfoot	181	1,002	72	11	1,266	227	232	
Coeur d'Alene	19	221	16	1	257	10	20	
Minnesota								
Cass Lake	36	397	59		492		16	
Montana								
Billings	152	1,755	213	4	2,124	115	157	
Great Falls	328	1,802	455	6	2,591	126	391	
Nebraska								
Alliance	26	277	34		337	16	19	
Nevada								
Carson City	51	649	136	1	837	63	67	
New Mexico								
Las Cruces	274	1,096	395	7	1,772	66	253	
Santa Fe	280	1,262	321	8	1,871	111	209	
North Dakota								
Bismarck	36	574	44	2	656	13	20	

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF APRIL, 1928 - Continued.

Oregon	27	201	36	1	265	41	52
Lakeview	84	845	78	4	1,011	4	52
Roseburg	51	641	62	5	759	108	39
The Dalles	61	759	56	1	877	29	52
South Dakota	217	1,441	335	12	2,005	363	264
Pierre	48	618	47	1	714	27	52
Utah	155	1,028	169	13	1,365	109	133
Salt Lake City	336	1,523	420	8	2,287	223	292
Washington	210	990	176	1	1,377	55	247
Spokane	3,783	24,785	4,709	174	33,451	2,536	3,978
Wyoming							
Buffalo							
Cheyenne							
Evanston							
Total							6

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE

BULLETIN

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12

July 1, 1928

No. 5.

OREGON AND CALIFORNIA TAX UNIT.

Report for the month of June and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

Claims received during month (1927)	(4)	\$147,875.63
Total claims received (1927)	(11)	435,082.55
Claims certified during month (1927)	(2)	22,103.53
Additional allowance over amount claimed	--	50.99
Total claims certified (1927)	(7)	281,382.00
Net disallowance in above	--	151.66
Claims pending (1927)	(4)	153,548.89
Total claims received (1926) all	(18)	691,183.62
Total claims certified (1926)	(17)	659,649.09
Disallowances in above	--	27,087.95
Claims pending (1926)	(1)	4,446.58
Total claims received (1916-1925) all	(19)	6,741,466.94
Total claims certified (1916-1925) all	(19)	6,311,168.23
Disallowances in above	--	430,298.71

SURVEY NOTES.

Distribution of General Appropriation, 1929.--On July 3, 1928, the First Assistant Secretary approved the following distribution of the funds made available for the survey and resurvey of public lands by the act of Congress approved March 7, 1928, Public No. 100, 70th Congress:

Alaska	\$44,000
Arizona	50,000
California	50,000
Colorado	55,000
Idaho	50,000
Montana	55,000
Nebraska and South Dakota	18,000
Nevada	36,000
New Mexico	55,000
O. & S. and Coos Bay	6,000
Oregon	50,000
Utah	55,000
Washington	35,000
Wyoming	42,000
Eastern District	55,000
Supervisor's office	25,000
Instruments, repairs, etc.	5,500
Transportation	15,000
Stationery	2,500
Detailed employees	5,000
Iron posts	20,000
Reserve	21,000
Total,	\$750,000

Distribution of Indian Funds, 1929.--On May 12, 1928, the First Assistant Secretary approved the following distribution of the sum of \$20,000 allotted to this office by the Office of Indian Affairs for surveys within Indian reservations from the appropriation "Surveying and Allotting Indian Reservations, 1929," made available by the act of March 7, 1928, Public No. 100, 70th Congress:

Arizona	\$1,500
Montana	5,000
New Mexico	800
South Dakota	7,200
Eastern District	3,500
Reserve	2,000
Total,	\$20,000

Pending Surveys.--The office has on hand July 1, 1928, approved requests for surveys and resurveys within the national forests aggregating 359 townships of which 175 townships are resurveys. Outside of national forests there are pending original surveys covering 303 townships and resurveys covering 70 townships, making in all a total of 732 townships.

The greater portion of the pending surveys are of course in the western mountain States as indicated in the following tabulation:

Pending Surveys.

	Surveys & Re-surveys outside forests.	Surveys & Re-surveys within national forests.	Total.
Arizona	20	63	83
California	23	27	50
Colorado	15	56	71
Idaho	61	28	89
Oregon	16	14	30
Montana	44	20	64
Utah	89	10	99
New Mexico	28	52	80
Nevada	17	9	26
Washington	10	17	27
Wyoming	38	4	42

Group No. 144, Arizona.--That the surveying activities of this office are not confined to surveying the public lands for the purpose of disposal, under the usual practice, is well illustrated by the three surveys executed under Group No. 144, Arizona.

Sec. 17, T. 30 N., R. 4 E. was subdivided, and it was also necessary to traverse the south rim of the Grand Canyon and certain proposed roads in order to define the boundaries of the lands authorized for exchange as provided in the act of Congress, approved May 10, 1926, entitled, "An act to authorize the exchange of certain patented lands in the Grand Canyon National Park for certain Government land in said park." (44 Stat., 497).

The survey executed in Sec. 11, T. 5 S., R. 9 W. was made for the purpose of identifying the graves of the Oatman family, and it was necessary to make a metes and bounds survey of one acre of land upon which the graves are located in order to define the boundaries and to furnish a proper description for patent as provided in the act of Congress, approved June 15, 1926, entitled, "An act to grant certain lands situated in the State of Arizona to the National Society of the Daughters of the American Revolution" (44 Stat., 1507).

The survey executed in Sec. 20, T. 29 N., R. 7 E. is based upon an Indian allotment application for the unsurveyed SW $\frac{1}{4}$ of said Sec. 20, under authority contained in the act of June 25, 1910 (36 Stat., 855).

RECENT DEPARTMENTAL DECISIONS.CONSTRUCTION OF THE ACT OF FEBRUARY 26, 1927, RELATING TO
CANCELLATION OF ERRONEOUSLY ISSUED INDIAN FEE PATENTS.

(Opinion, February 24, 1928.)

PATENT--MORTGAGE--LIENS--INDIAN LANDS.

A mortgagor who makes use of a title to secure a benefit, such as a loan, is presumed to consent to the issuance and acceptance of the fee--simple patent, and that his interest in the land becomes subject to any liens created by way of judgments or levy of taxes, which could not be defeated by an attempted cancellation of the patent by the Secretary of the Interior.

PATENT--INDIAN LANDS--SECRETARY OF THE INTERIOR--JURISDICTION--STATUTES.

The act of February 26, 1927, confers no authority upon the Secretary of the Interior to cancel an unapplied for patent in fee issued to an Indian during the trust period if the patentee consented to its acceptance, and such consent need not have preceded the actual issuance of the patent or have been simultaneous with it.

PATENT--INDIAN LANDS--MORTGAGE--SECRETARY OF THE INTERIOR--COURTS--JURISDICTION--STATUTES.

The limitation in the act of February 26, 1927, withholding the power of the Secretary of the Interior to cancel an unapplied for patent in fee issued to an Indian during the trust period where the patentee has "mortgaged or sold any part of the land," left the jurisdiction in such cases to the courts, and that jurisdiction is not lost by a subsequent revesting of the unencumbered title in the patentee or his heirs.

Approved:

JOHN H. EDWARDS,
Assistant Secretary.

STATE OF MISSOURI EX REL. HEMPHILL LUMBER COMPANY (ON REHEARING).

(Decided by First Assistant Secretary Finney, February 8, 1928.)

SURVEY--MEANDER LINE--PLAT--RIPARIAN RIGHTS--JURISDICTION--NAVIGABLE WATERS--NONNAVIGABLE WATERS.

Where in a Government survey a body of water, navigable or nonnavigable, was meandered with a fair degree of accuracy and the abutting lands subsequently disposed of according to the plat, title to lands that thereafter appear beyond the meander line is dependent upon the laws of the State within which they are situated.

SWAMP LAND--SURVEY--MEANDER LINE--PLAT--PATENT--RIPARIAN RIGHTS.

Where swamp lands abutting upon a meander line are patented to a State in accordance with the plat of survey, the State does not acquire title under the swamp-land grant to lands beyond the meander line, subsequently uncovered by the recession of the waters, but it takes such riparian rights by virtue of its patent as are recognized by local law.

COURT DECISION CITED AND APPLIED.

Case of Lee Wilson and Company v. United States (245 U. S. 24), cited and applied.

"E" 1214928.

CONSTRUCTION OF THE ACT OF JUNE 4, 1920, WITH
RESPECT TO PATENTS ISSUED ON CROW HOMESTEAD ALLOTMENTS.

(Instructions by First Assistant Secretary Finney: June 4, 1928.)

INDIAN LANDS--MINERAL LANDS--ALLOTMENT--PATENT--TRUST PATENT--RESERVATION--
VESTED RIGHTS--OFFICERS--JURISDICTION--STATUTES.

The act of June 4, 1920, did not impair or adversely affect rights that had theretofore become vested, and it is beyond the power of an administrative officer by the issuance of a new or supplemental patent to deprive an Indian allottee of vested rights to minerals in allotted lands previously acquired under a trust patent without mineral reservation or limitation.

INDIAN LANDS--ALLOTMENT--PATENT--ALIENATION--STATUTES.

The act of June 4, 1920, contemplated that a fee patent, if applied for by an Indian in connection with his homestead allotment, should be in the form of a restricted fee restraining alienation of the lands for the period specified in section 13 thereof.

INDIAN LANDS--ALLOTMENT--PATENT.

A conveyance issued upon an Indian homestead allotment must be construed as to its legal force and effect in accord with the terms of the law under which it was granted and not by the terms of the patent itself.

1290528 - B - J O'C.

NEVADA IRRIGATION DISTRICT.

(Decided by Secretary Work, January 13, 1928.)

WATER POWER PROJECT--POWER SITE--APPLICATION--LICENSE--WITHDRAWAL--
FEDERAL POWER COMMISSION.

The filing of an application for a license for water power privileges under the act of June 10, 1920, automatically withdraws the land from entry and disposal, and the power site thus created is reserved from disposal under other laws until otherwise directed by the Federal Power Commission or by Congress.

WATER POWER PROJECT--LICENSE--RIGHT OF WAY--LAND DEPARTMENT--FEDERAL POWER COM-
MISSION--JURISDICTION.

The Land Department is prohibited by section 24 of the Federal water power act, in the absence of a determination by the Federal Power Commission as required by that section, from granting a right of way under the act of March 3, 1891, as amended, over lands embraced within a license for water power privileges issued pursuant to the former act, notwithstanding that the applicant for the right of way and the licensee are one and the same person.

WATER POWER PROJECT--LICENSE--RESERVATION--FEDERAL POWER COMMISSION.

A declaration in a license issued by the Federal Power Commission pursuant to the act of June 10, 1920, to the effect that it "will not interfere or be inconsistent with the purpose for which any reservation affected thereby was created or acquired," relates only to such reservations as those defined in section 4 of the act, and is not in any wise a determination such as that contemplated by section 24 thereof.

"F" Sacramento 017285.

NEVADA IRRIGATION DISTRICT (ON REHEARING).

(Decided by First Assistant Secretary Finney, June 4, 1928.)

WATER POWER PROJECT--APPLICATION--JURISDICTION--LAND DEPARTMENT--FEDERAL
POWER COMMISSION.

Jurisdiction of the Land Department over lands of the United States included in any proposed project under the act of June 10, 1920, automatically terminates upon the filing of an application therefor with the Federal Power Commission, and it has no further control over such lands until and unless jurisdiction is restored by the Commission or by Congress.

"F" Sacramento 017285.

ARCHAEOLOGICAL RUINS.

(Opinion by Solicitor Patterson, February 1, 1928.)

ARCHAEOLOGICAL RUINS--HOMESTEAD ENTRY--VESTED RIGHTS--JURISDICTION--PERMIT--LICENSE.

Archaeological ruins and other objects within the purview of the act of June 8, 1906, which may be located on lands occupied by a homesteader continue to be property of the United States until the vesting of equitable title in the entryman, and until then the Government has authority under that act to issue permits or licenses for the examination, excavation, and recovery thereof.

ARCHAEOLOGICAL RUINS--PATENT--RESERVATION--STATUTES.

The act of June 8, 1906, did not authorize any reservation or exception in patents for lands embracing ruins or archaeological sites, and upon the issuance of a patent for lands containing such ruins governmental authority thereover ceases.

ARCHAEOLOGICAL RUINS--PERMIT--LICENSE--OIL AND GAS LANDS--PROSPECTING PERMIT--STATUTES.

Permits and licenses for the examination, excavation, and recovery of archaeological ruins may be issued pursuant to the act of June 8, 1906, embracing lands for which oil and gas prospecting permits have been issued under the act of February 25, 1920.

Approved:

JOHN H. EDWARDS,
Assistant Secretary.

 CRATER LAKE NATIONAL PARK COMPANY.

(Opinion by Solicitor Patterson, April 24, 1928.)

NATIONAL PARKS--LEASE--BONDS--SECRETARY OF THE INTERIOR--JURISDICTION--STATUTES.

The amendment in the appropriation act of March 7, 1928, to section 3 of the act of August 25, 1916, governs contracts made prior thereto as well as those made thereafter, and an operator in a national park wishing to issue bonds or increase his capitalization and sell additional stock must submit his proposal to the Secretary of the Interior for approval, notwithstanding that the contract makes no mention of such requirement.

Approved:

JOHN H. EDWARDS,
Assistant Secretary.

JAMES E. CREE (ON REHEARING).

(Decided by First Assistant Secretary Finney, June 13, 1928.)

NATIONAL FORESTS--RELINQUISHMENT--RECONVEYANCE--LIEU SELECTION--WITHDRAWAL--STATUTES.

The act of September 22, 1922, did not reserve or withdraw lands conveyed under the act of June 4, 1897, from Executive administration and control, and in determining whether or not a disposition of the base lands had been made within the contemplation of section 2 of the former act, the status of the lands as of the time action is taken upon the application for relief thereunder controls.

DEPARTMENTAL DECISION CITED AND APPLIED.

Case of San Joaquin Light and Power Corporation (50 L. D. 660), cited and applied.

"K" 1273642 - 1910.

CONSTRUCTION OF SECTION 27 OF THE LEASING ACT,
AS AMENDED, WITH RESPECT TO CORPORATE INTERESTS.

(Opinion by First Assistant Secretary Finney, June 22, 1928.)

OIL AND GAS LANDS--PROSPECTING PERMIT--LEASE--LIMITATION AS TO ACREAGE--CORPORATION--STATUTES.

The provisions and limitations of section 27 of the leasing act, as amended, with respect to the maximum acreage of permits and leases that may be taken and held by one corporation, can not be evaded by the expedient of organizing another or other corporations by the same stockholders, inasmuch as the department may look beyond the corporate form to its purpose and to those identified with that purpose.

BOARD OF SUPERVISORS, MOHAVE COUNTY, ARIZONA.

(Instructions by First Assistant Secretary Finney, June 13, 1928.)

PUBLIC LAND--SECRETARY OF THE INTERIOR--PRICE--MINIMUM PRICE--STATUTES.

Where the law permits the Secretary of the Interior to fix the price at which any particular body of public lands is to be disposed of, and he thereafter sets a price for their disposition pursuant thereto, the price thus fixed is the "minimum price".

MINING CLAIM, ASSESSMENT WORK--EXPENDITURES--DISCOVERY--ADVERSE CLAIM--
RECREATION LANDS--EVIDENCE--BURDEN OF PROOF--PRESUMPTION.

Where mining locations have been unchallenged for a number of years, and development work has been done upon them, the certificate of location creates presumption of discovery and a valid location, and anyone seeking rights under other public-land laws adverse to those of the mining claimants must assume the burden of controverting the prima facie title of the mineral claimants.

MINING CLAIM, ADVERSE CLAIM--RECREATION LANDS--NOTICE--HEARING--LAND DEPARTMENT.

The Government can not convey an unassailable title under some other public land law to lands embraced within a mining location until, after due notice of charges and opportunity to be heard has been given to the mining claimant, there has been an adjudication by the Land Department that the claim is invalid.

NOTICE--PRACTICE--MINING CLAIMANT--PATENT--DISCOVERY--ASSESSMENT WORK--ADVERSE CLAIM--RECREATION LANDS.

Where adverse proceedings are directed against a mining claim, patent to which is not being sought by the claimants thereof, charging failure to make discovery of mineral and to perform the required assessment work, no authority of law exists for service of notice by publication, but service must be personal as provided by Rule 7 of Practice.

COSTS--PRACTICE--SELECTION--RECREATIONAL LANDS--MINING CLAIM--ADVERSE CLAIM.

Where a selection is made under the act of June 14, 1926, for lands for recreational purposes that are embraced within a mining location, no public interest exists that dictates that the Government assume the burden of expense of removing the cloud created by such claim on the title sought by the selector, but that burden must be borne by the selector himself.

"A" Phoenix 061981.

Circular No. 1153.

INSTRUCTIONS UNDER THE ACT OF APRIL 11, 1928.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 29, 1928.

The act of April 11, 1928 (Public No. 266 - 70th Congress), entitled "An act authorizing the Secretary of the Interior to sell and patent certain lands in Louisiana and Mississippi, provides:

"That the Secretary of the Interior, in his judgment and discretion, is hereby authorized to sell, in the manner hereinafter provided, any of those lands which he has found or shall hereafter find are public lands of the United States that have accreted to section 14 of township 5 north, range 4 west, Washington meridian, in the State of Mississippi, and to sections 65, 66, 67, and 68 of township 5 north, range 9 east, Louisiana meridian, in the State of Louisiana, and which are not lawfully appropriated by a qualified settler or entryman or other adverse claimant claiming under the public land laws.

Sec. 2. That the owners of said above-described lots or sections shall have a preferred right to file in the office of the register of the United States Land Office of the district in which the lands are situated an application to purchase the public lands thus formed by accretion at any time within ninety days from the filing of plats of such accreted area in the United States Land Office. Every such application must be accompanied with satisfactory proof that the applicant is entitled to such preference right by virtue of the ownership of said above-described lots or sections and that the lands which he applies to purchase are not in the legal possession of any adverse claimant.

Sec. 3. That upon the filing of any application to purchase any lands subject to the operation of this act, together with the required proof, the Secretary of the Interior shall cause the lands described in said application to be appraised, including the timber thereon and the stumpage value of any timber cut or removed by the applicant or his predecessors in interest. Such appraisement shall be exclusive of any increased value resulting from the development or improvement of the land for agricultural purposes by the applicant or his predecessors in interest.

Sec. 4. That an applicant who applies to purchase land under the provisions of this act, in order to be entitled to receive a patent must, within thirty days from receipt of notice of appraisal by the Secretary of the Interior, pay to the register of the United States Land Office of the

district in which the lands are situated the appraised value of the lands, and thereupon patent shall issue to said applicant for such lands as the Secretary of the Interior shall determine that such applicant is entitled to purchase under this act. The proceeds derived by the Government from the sale of lands hereunder shall be covered into the United States Treasury and applied as provided by law for the disposal of the proceeds from the sale of public lands.

Sec. 5. If, at the date of the approval of this act, any of the lots or sections or parts of lots or sections above described are covered by a pending entry on which satisfactory final proof in support thereof has not been submitted, patent based on any application to purchase land subject to the provisions of this act shall be withheld to await the completion of the pending entry. If, upon completion of the pending entry it shall then be found that applicant has shown due compliance with the law under the said pending unperfected entry and his application to purchase is otherwise satisfactory patent on said application to purchase shall then be issued.

Sec. 6. That the Secretary of the Interior is hereby authorized to prescribe all necessary rules and regulations for administering the provisions of this act and determining conflicting claims arising hereunder."

Applications to purchase under this act must be sworn to and may be executed before any officer having a seal and authorized to administer oaths in the State in which the land is situated and must be filed with the Commissioner of this office within 90 days from the filing of the official plat of survey.

The applicant must describe the land which he desires to purchase, together with the land claimed as the basis of his preference right to the lands applied for and must show by affidavit corroborated by two witnesses that the lands applied for are not lawfully appropriated by a qualified settler or entryman under the public land laws, nor in the legal possession of any adverse applicant. Abstracts of title covering the lands claimed as the basis of a preference right must be submitted to this office as evidence of ownership. Any such abstracts will be returned to the owners upon request after issuance of patent for the land applied for.

When an application is filed in this office under this act it will be noted upon the records of this office and as soon as practicable thereafter, if everything is found to be regular, will be forwarded to the Chief Inspector for investigation and appraisement of the land in accordance with the provisions of this act.

When an application is received by the Chief Inspector he will cause an investigation and appraisement of the land to be made in accordance with the provisions of the act. The inspector making the investigation and appraisement will make a report as to the development or improvement of the land for agricultural purposes and will estimate the value of the timber

thereon, if any, including the stumpage value of any timber cut or removed by the applicant or his predecessors in interest. Such appraisal shall be exclusive of any increased value resulting from the development or improvement of the land for agricultural purposes by the applicant or his predecessors in interest.

If upon consideration of the application in this office, with report and appraisal, it shall be determined that the applicant is entitled to purchase the lands applied for, this office will notify the applicant at once, by registered mail, that he must within 30 days from service of notice deposit with the Receiving Clerk of this office the appraised price, or he will, without further notice, forfeit all rights under his application.

Upon payment of the appraised price of the land this office will issue notice for publication. Such notice shall be published at the expense of the applicant in a newspaper of general circulation, designated by the Commissioner of this office, in the vicinity of the land, once a week for five consecutive weeks immediately prior to the date of sale, but a sufficient time shall elapse between the date of the last publication and the date of sale to enable the affidavit of the publisher to be filed in this office. The notice will advise all persons claiming adversely to the applicant that they should file any objections or protests to the allowance of the applications within the period of publication, otherwise the application may be allowed. Any objections or protests must be under oath, corroborated, and a copy thereof served upon the applicant. The Commissioner of this office will cause a notice similar to the notice of publication, to be posted in this office, such notice to remain posted during the entire period of publication. The publisher of the newspaper must file in this office, prior to the date fixed for the sale, evidence that publication has been had for the required period, which evidence must consist of the affidavit of the publisher, accompanied by a copy of the notice published.

Upon submission of satisfactory proof, if no protest or contest is pending final certificate will issue followed by patent.

If any such accreted lands remain after the disposal of the preference right claims provided for by this act, the accreted lands so remaining will be subject to entry by qualified former service men of the World War, under the homestead laws, for a period of 90 days, following the 90-day period provided for by this act, and thereafter by the general public.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: May 29, 1928.

E. C. FINNEY,

First Assistant Secretary.

Circular 1154.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 11, 1928.

To All Field Employees

of the General Land Office.

Sirs:

By decision dated May 23, 1928, the Comptroller General rules that transportation requests must be used where the amount involved is \$1 or more. In the decision he states:

The intent and effect of the requirement of the Standardized Travel Regulations that transportation requests be used when practicable is that such requests should be used in all cases in which there does not exist some good reason from the Government's standpoint rendering their use incapable of being put into practice.

Accordingly, I have to advise that credit will not be allowed for any payments as reimbursement for cash fares in excess of \$1 paid in connection with travel performed after June 15, 1928, in the absence of a clear showing that a transportation request could not have been used for the travel.

You will govern yourselves accordingly.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1155.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 11, 1928.

Special Disbursing Agents.

Sirs:

The Comptroller General in a letter dated June 1,
quotes from paragraph 4 of General Regulations No. 54:

At the end of each month each disbursing officer making deductions on account of the retirement fund will transmit his check for the amount deducted, to the Disbursing Clerk, Bureau of Pensions, and will transmit with his account to the General Accounting Office, a list of pay rolls and vouchers on which retirement fund deductions have been made, showing therein, the amount, number, and date of check drawn in favor of the Disbursing Clerk, Bureau of Pensions

and from paragraph 4, Supplement No. 2 to General Regulations No. 34:

The gross amount to be charged to appropriations should always be approved for payment by the administrative officer, and this total should agree with the amount paid to the employee and the retirement deductions.

He furnishes a list of fiscal officers of this bureau whose accounts for the months of January, February, and March fail to show constant and full compliance with these regulations. An examination of those accounts

discloses lack of compliance with the instructions in one of the following particulars:

1. More than one check drawn to the Bureau of Pensions during a month, or at a time other than "the end of the month";

2. The required list incomplete in one of the following points:

(a) Failure of list of pay rolls and vouchers to show voucher number or numbers of pay rolls or other vouchers on which retirement deductions are made;

(b) Failure to show the total deduction, and therefore to show the amount of the check drawn to the Bureau of Pensions;

(c) Failure of list to show number or date (or both) of the check drawn to the Bureau of Pensions;

3. The pay roll or other personal service voucher is not always certified for the gross amount earned, but for the net amount after subtracting the retirement deductions.

Please study the quoted paragraphs carefully and see that their requirements are fully complied with in all accounts hereafter rendered.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1156.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 18, 1928.

SUPPLEMENTAL REGULATIONS UNDER CIRCULAR NO. 1085.

Registers,

Roseburg and Lakeview Land Offices,

Oregon.

Gentlemen:

The act of April 13, 1928, Public No. 274, extending the provisions of the recreational act of June 14, 1926 (44 Stat. 741), to revested Oregon and California Railroad and Coos Bay Wagon Road grant lands, reads as follows:

"That the provisions of the act of Congress approved June 14, 1926 (Forty-fourth Statutes at Large, page 741), entitled 'An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes,' are hereby extended to former Oregon and California Railroad grant lands revested in the United States under the Act of June 9, 1916 (Thirty-ninth Statutes at Large, page 218), and to former Coos Bay Wagon Road grant lands reconveyed to the United States under the Act of February 26, 1919 (Fortieth Statutes at Large, page 1179): Provided, That any lands leased hereunder shall thereafter be exempt from any further claim by the county wherein such leased lands are located for payment of moneys, the equivalent of taxes, as authorized under the Relief Act of July 13, 1926 (Forty-fourth Statutes at Large, page 915): Provided further, That only such lands as are within or contiguous to the former limits of said grants may be accepted in an exchange hereunder for such former grant lands and that all lands and timber secured by virtue of any such exchanges shall be disposed of in accordance with the terms and provisions of said Revestment Act of June 9, 1916: And provided further, That no sales of lands classified under said Act of June 9, 1916, as of class 3, or agricultural lands, shall be made for less than \$2.50 per acre, and of lands of class 2, or timberlands, for less than the appraised value of the timber thereon.

"Sec. 2. That all moneys received from or on account of any lands leased or sold hereunder shall be applied in the manner prescribed by the aforesaid Acts of June 9, 1916, and February 26, 1919."

The existing regulations approved July 23, 1926, Circular No. 1085 (51 L. D. 505), as issued pursuant to the recreational act of June 14, 1926, with the following supplemental instructions added thereto, are hereby adopted for the purpose of carrying into effect the provisions of said act of April 13, 1928:

Revested Oregon and California Railroad and Coos Bay Wagon Road Grant Lands.---The said act of April 13, 1928, is applicable only to such former grant lands revested in the United States under the acts of June 9, 1916 (39 Stat. 218), and February 26, 1919 (40 Stat. 1179), which have been reported or classified under said act of 1916 as either timber or agricultural in character, lands classified thereunder as chiefly valuable for water-power sites and reserved for that purpose being excepted from the operation thereof.

Any of such revested lands leased for recreational purposes shall thereafter be exempt from any further claim by the county wherein such leased lands are located for payment of moneys, the equivalent of taxes, as authorized under the act of July 13, 1926 (44 Stat. 915).

Only such lands as are within or contiguous to the former limits of said grants may be accepted in exchange for such grant lands and all lands and timber secured by virtue of any such exchange shall be disposed of in accordance with the terms and provisions of said Revestment Act of June 9, 1916.

No sale of lands classified under said act of June 9, 1916, as of class 3, agricultural lands, shall be made for less than \$2.50 per acre and of lands of class 2, timber lands, for less than the appraised value of the timber thereon.

All moneys received from or on account of any lands leased or sold or acquired through exchange under said act of April 13, 1928, shall be applied in the manner prescribed by the said acts of June 9, 1916, and February 26, 1919.

When application is filed for any revested lands classified or reported as timber in character the District Cadastral Engineer at Portland, Oregon, may also, if necessary, be instructed to submit report and recommendation thereon, in addition to the examination of such land and report which the Division Inspector may be instructed to make in accordance with Circular No. 1085.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: June 18, 1928.

E. C. FINNEY,

First Assistant Secretary.

DEPARTMENT OF THE INTERIOR

Washington

June 8, 1928.

Memorandum for Bureaus and Offices.

The General Accounting Office is suspending items for Pullman fares paid in cash by the traveler when the expense account is not accompanied by the Pullman Company's berth check or the Pullman conductor's receipt, and also items of Pullman fares for which reimbursement is claimed by traveler when travel is performed by indirect route and claim is not supported by Pullman Company's berth check or Pullman conductor's receipt showing that Pullman berth or seat was actually used by traveler during indirect-route travel.

Paragraph 95 (r) of the Government Travel Regulations (Manual volume I, page 154) provides as follows:

"95. Receipts Required.--Receipts, when practicable, to obtain them, will be required for:

(r) Sleeping car, parlor car, and stateroom fares WHEN PAID IN CASH, within the continental limits of the United States, or on coastwise transportation lines. The seat or berth check will be sufficient, but in cases where coupons or checks are not given by the transportation company and it is so stated in the expense account, same will not be required."

In such cases where it is the practice of the transportation company to issue receipts and it is practicable for the traveler to obtain them the General Accounting Office requires that the receipts issued be attached to and made a part of the expense voucher. In such cases only where it is the practice of the transportation company not to give receipts will the General Accounting Office allow claim for reimbursement for fares paid in cash when not accompanied by receipt.

Hereafter, when a person travels direct route and pays sleeping and parlor car fares in cash, the Pullman Company's berth or seat check or the Pullman conductor's receipt must accompany the voucher in support of the amount claimed as reimbursement; and when a person travels indirect route and pays sleeping and parlor car fares in cash, the Pullman Company's berth or seat check or Pullman conductor's receipt must accompany the voucher as evidence of such service when the traveler claims sleeping car fares to which he is entitled if travel had been performed by direct route.

One copy to be inserted in each copy of Standard Travel Regulations.

W. B. ACKER,
Chief Clerk.

"A-16127

May 23, 1928.

The Honorable, The Secretary of the Treasury.

Sir:

There has been received your letter of April 24, 1928, as follows:

'Receipt is acknowledged of your letter of March 20th, relative to the use of transportation requests by National Bank Examiners.

'Paragraph 20 of the Standardized Government Travel Regulations provides that "transportation requests should be used when practicable, to obtain all official transportation where the amount involved is \$1 or more!"

'The requirements for the use of these requests not being mandatory and their use not being desired on the part of the examining staff, it has not been desirable to require their use by this staff, particularly since the checking of these requests would require an increase in the clerical force of the Office of the Comptroller of the Currency.'

'Practicable' has been defined in Webster's dictionary as 'capable of being put into practice.' It has also been defined as 'that which may be done, practiced, or accomplished; that this is performable, feasible, possible.' See Bouvier's Law Dictionary, page 2649; and Words and Phrases, Second Series, pages 1109 and 1110. The mere fact that the National Bank examiners do not desire to use transportation requests does not render their use impracticable or not incapable of being put into practice.

Transportation requests are now used almost exclusively for travel on business for the Government, and no reason appears why bank examiners should be excepted from the general rule. The reasons for not using transportation requests must rest upon some sound reason rendering their use impracticable from the Government's standpoint. Where reimbursement for cash fare is claimed there is no receipt or evidence of payment to support the charge, and if an incorrect amount is paid the employee must be charged therewith rather than the railroad company. When transportation requests are used the fares are checked and erroneous charges are corrected before payment is made to the carrier. It has also been found in some cases that employees charged for railroad fares as paid in cash when, in fact, they had used their own automobile or some other means of transportation. Such substitution is often difficult of detection in the audit.

The intent and effect of the requirement of the Standardized Travel Regulations that transportation requests be used when practicable is that such requests should be used in all cases in which there does not exist some good reason from the Government's standpoint rendering their use incapable of being put into practice.

Accordingly, I have to advise that credit will not be allowed for any payments as reimbursement for cash fares in excess of \$1 paid in connection with travel performed after June 15, 1928, in the absence of a clear showing that a transportation request could not have been used for the travel.

Respectfully,

J. R. McCARL,

Comptroller General
of the United States.'

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 4, 1928.

Registers,

District Land Offices.

Sirs:

In view of the additional burden placed on the appropriation for contingent expenses of land offices by the increased cost of registration, and the practice of some of the district land offices of immediately rejecting defective applications and sending notices by registered mail which might as well be suspended and notices of suspension sent to claimants by ordinary mail, Circular No. 449 of December 11, 1915, is reissued, and a strict observance of its provisions is directed.

"It appears that recently in numerous instances letters from local offices have been unnecessarily registered. Your attention is directed to the provisions of Circular No. 20 which directed that no registration fee will be paid by the United States unless the letter contains one of the following:

"1. Notice of hearing.

"2. Notice of decision, whether of your or this office, or of the Department, TO THE PARTY ADVERSELY AFFECTED only, where the decision is an ADJUDICATION OF THE CASE AND THE PARTY HAS THE RIGHT OF APPEAL THEREFROM.

"3. Notice of preference right or of other right to be exercised within a certain time, and of requirements of this office and the Department.

"Said Circular No. 20 also provided:

"Notice of the closing of cases, interlocutory decisions upon motions, orders of suspension and all requirements made by your office of claimants, that do not constitute a final disposition of the case, coupled with the right of appeal, MUST NOT BE REGISTERED; and all instructions or circulars heretofore issued to the contrary are hereby revoked.

"It is believed that in many cases personal service may be made upon claimants or their counsel; and it is expected that, in every instance where possible, you will adopt this preferable method of service."

Cooperation is urged of all officers and employees concerned with the registration of notices in order that the cost of registration may be kept at the lowest possible minimum.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: June 4, 1928.

E. C. FINNEY,

First Assistant Secretary.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(819)

MONTANA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of extension survey in T. 9 N., R. 11 W., P. M., Powell County, will be officially filed in the district land office at Crest Falls on July 30, 1928, at 9 a. m.

The greater part of the land shown on this plat is within the limits of Deerlodge National Forest.

For 92 days, beginning July 30, 1928, the unreserved land represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right superior to that of the soldier. These parties may file their applications at the United States land office at Great Falls, Montana, during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on July 30, 1928. On October 30, 1928, the land remaining unentered and unreserved will be available for entry under any applicable land law by the public generally.

Area surveyed: 5,219.94 acres. This area is on the east slope of the Flint Range and is generally mountainous in character with elevation ranging from 5,000 to 6,300 feet. The soil is of good character, and cultivation is possible in small areas. Most of the land is covered with fir and pine timber, and considerable lumbering has been done in past years. Gold was discovered on Gold Creek in 1856, and placer mining was the principal industry of the region for many years and is still being carried on. Water is plentiful, and this with a number of small parks, open ridges and slopes, makes it a suitable district for grazing purposes.

(820)

ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of the following townships will be officially filed in the district land office at Phoenix, Arizona, on August 15, 1928 at 9 a. m.:

T. 41 N., R. 9 W., G. & S. R. M., Mohave County,

T. 42 N., R. 2 W., G. & S. R. M., Coconino County,

T. 42 N., R. 8 W., G. & S. R. M., Mohave County,

T. 42 N., R. 9 W., G. & S. R. M., Mohave County.

A portion of T. 41 N., R. 9 W., is included in a public-water reserve and a portion of T. 42 N., R. 2 W., is included in an Indian Reservation.

For 91 days, beginning August 15, 1928, the unreserved land represented upon said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 15, 1928. On November 14, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 41 N., R. 9 W.--Area surveyed: 23,030.08 acres. The surface of this township is rolling and broken, being cut up by numerous washes and small canyons. There is no timber in the township. The undergrowth consists of sagebrush, buckbrush, blackbrush, cactus, yucca, and other varieties. There is one settler in the northwest corner of Sec. 23 who has about 40 acres under cultivation. The chief value of the township is for grazing purposes. No evidence of mineral was found.

T. 42 N., R. 2 W.--Area surveyed: 2,746.47 acres. Land: rolling mesas and valleys broken by sandstone ledges. Soil: sandy loam, second and third rate in valleys; sandy, fourth rate on slopes. Timber: scattering cedar and pinyon useful for fuel and fencing. The only water available is from Kanab Creek. No mineral indications were observed. Undergrowth: sage, greasewood, Russian thistle, and cactus.

T. 42 N., R. 8 W.--Area survey: 2,471.84 acres. Land: rolling plateau with sandstone outcroppings. Soil: sandy and rocky with a small amount of loam, second to fourth rates. Timber: a small amount of scrub cedar and pinyon in the high mesa in Secs. 35 and 36. Some petrified specimens of the same varieties were found in this locality. Undergrowth: sage, broom weed, and cactus. No mineral indications were observed. There is no permanent water in this township. Short Creek flows intermittently. G. W. Bonan has built a cabin and small earth reservoir in the extreme northeast corner of Sec. 35. Rule Glazier has built a small house and fences and is building a reservoir in Sec. 31.

T. 42 N., R. 9 W.--Area surveyed: 2,440.98 acres. Land: rolling plateau except breaks to westward from Hurricane Ridge in Sec. 31. Soil ranges from sandy third rate in the eastern portion to rocky fourth rate in the extreme western portion. There is no water in this township. There are a few scattering cedars in Sec. 31. Undergrowth: sage, greasewood, and cactus. There is good grazing afforded in this township, and no indications of mineral. There are no settlers in this township.

(821)

ILLINOIS:

NOTICE OF FILING OF PLAT OF SURVEY.

The plat of survey of Buzzard Island in the Mississippi River in Secs. 13, 24, and 25, T. 3 N., R. 10 W., 4th P. M., Hancock County, containing 173.68 acres, will be officially filed in the General Land Office, Washington, D. C., on August 15, 1928 at 9 a. m.

For 91 days, beginning August 15, 1928, the island will be open to entry under the homestead laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These persons may file their applications at the General Land Office, Washington, D. C., during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 15, 1928. On November 14, 1928, the island, if still unentered and unreserved, will be available for entry under any applicable public land law by the public generally.

There is pending in the General Land Office an application to enter under the homestead laws the entire island, which is based not only on claim of settlement, but also on color of title.

All inquiries concerning this island should be addressed to the Commissioner of the General Land Office, Washington, D. C.

OREGON:

FROM CAREY ACT WITHDRAWAL.

Twelve thousand and sixty-four and six hundredths acres of land in Lake County, Lakeview land district, opened to homestead and desert-land entry by qualified ex-service men of the World War beginning July 13, 1928, and opened to entry by the general public under applicable public land laws on October 12, 1928. The soldiers' simultaneous filing period will be from June 23, 1928, to July 12, 1928, inclusive, and the simultaneous filing period for the general public will be from September 22, 1928, to October 11, 1928, inclusive.

This land is near the town of Paisley which contains a post office, and the nearest railroad towns are Kirk and Klamath Falls on the Southern Pacific Railroad.

They are also between Lake Summer and Lake Albert lying at an altitude of 4,500 feet above sea level. They are physically tillable being level to gently rolling and the soil is sandy and clay loam, some places having gravel in varying amounts. The precipitation is not sufficient in average years for the production of wheat and like crops but grain cut for hay will produce from one-half to one ton per acre without irrigation.

The lands are also suitable for grazing during the spring, summer, and fall months and will carry from 15 to 20 head of cattle per 640 acres.

It is reported that there is probably water available for the irrigation of these lands from Chewaucan River but whether this water could be utilized by the construction of small canals by individual settlers is not known. The lands were included in a large project which however was not constructed.

COLORADO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of dependent resurvey of Township 46 N., R. 14 W., N. M. P. M., Montrose County, will be officially filed in the district land office at Denver on August 7, 1928, at 9 a. m.

A portion of the land represented on this plat is embraced in a Power Site Classification.

For 91 days, beginning August 7, 1928, the unreserved land represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Denver during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 7, 1928. On November 6, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area resurveyed; 23,063.76 acres by the original survey. This township consists of high rolling mesa broken by gulches, draining through the San Miguel and Maverick Canyons which extend through the northern and southern portions, respectively. The soil is a fine reddish-brown clay 12 to 24 inches deep on sandstone and shale base, and contains considerable amounts of gypsum. It is suited to dry farming in places, mostly confined to the south half of the township. Nearly all the surface of the township is covered with a heavy growth of cedar and pinyon timber.

(824)

CALIFORNIA:

RESTORATION FROM RECLAMATION WITHDRAWAL.

... About 400 acres, partly in Colusa and partly in Glenn County, and mostly in T. 17 N., R. 6 W., M. D. M., will be opened to homestead and desert-land entry beginning July 5, 1928, for a period of 91 days to ex-service men of the World War subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the United States land office, Sacramento, California, during the 20 days preceding that date, or beginning June 15, 1928, and all conflicts up to 9 a. m. July 5, 1928, will be decided by drawing. All lands remaining unentered after the expiration of the 91-day period, or beginning October 4, 1928, will be open to entry under any applicable public land law by the general public, and prospective applicants may present their applications within 20 days preceding or beginning September 14, 1928, all applications so filed being considered as simultaneously filed.

The lands are in the vicinity of the California National Forest and do not appear to be near to any town or railroad. Since the lands are released from reclamation withdrawal, no water for irrigation purposes will be available from a Federal irrigation project. Available information indicates that the lands are hilly.

EFFECTIVE DATES.

Soldiers simultaneous filing period:

June 15 to July 4, 1928, inclusive.

Preference period for ex-service men:

July 5, to October 3, 1928, inclusive.

Simultaneous filing period for public:

September 14, to October 3, 1928, inclusive.

Lands open to general public: October 4, 1928.

(825)

UTAH:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 700 acres in Utah County, viz: the entire Sec. 1, T. 7 S., R. 1 W., S. L. M., will be opened to homestead and desert-land entry beginning July 18, 1928, for a period of 91 days to ex-service men of the World War, subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the United States land office, Salt Lake City, Utah, during the 20 days preceding that date, or from June 28 to July 17, 1928, inclusive, and all conflicts up to 9 a. m. July 18, 1928, will be decided by drawing. All lands remaining unentered after the expiration of the 91-day period, or beginning October 17, 1928, will be open to entry under any applicable public land law by the general public, and prospective applicants may present their applications within the 20 days preceding or beginning September 27, 1928, all applications so filed being considered as simultaneously filed.

Available information indicates that the lands are mountainous and that the soil ranges from rocky, fourth rate, to sandy and gravelly, second rate. The lands are about 2 miles west of the west shore of Utah Lake. Several mineral claims are in the section and no railroad appears to be in the vicinity.

EFFECTIVE DATES.

Soldiers simultaneous filing period:

June 28 to July 17, 1928, inclusive.

Preference period for ex-service men:

July 18 to October 16, 1928, inclusive.

Simultaneous filing period for public:

September 27 to October 16, 1928, inclusive.

Lands open to general public: October 17, 1928.

(826)

UTAH:

OPEN TO ENTRY THROUGH SURVEY.

The plats of extension survey of T. 25 S., R. 23 E., and T. 19 S., R. 4 W. B. L. M., Grand County, will be officially filed in the district land office at Salt Lake City on August 1, 1928, at 9 a. m.

For 91 days, beginning August 1, 1928, the unreserved lands represented upon the said plats will be open to entry under the homestead and desert-land law by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the United States land office at Salt Lake City, Utah, during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 1, 1928. On October 31, 1928, the lands remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 25 B., R. 23 E.--Area surveyed: 6,878.51 acres. Land: broken. The west and southwest portion is high mesa land cut by deep box canyons with a general drainage to the west. Soil: sandy loam, with broken sandstone, third and fourth rate. The land is not suitable for agricultural purposes. The only timber is a small amount of scrub, juniper, and pinyon of small commercial value. A medium growth of black brush and sagebrush is found throughout the township. There were no surface indications of coal, metallic minerals, or oil in the township. There were no settlers in the township at the time of survey. The nearest post office is Castleton, Utah, located near the southeast corner of the township. Water is very scarce in this township; only one small spring was found in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 31. The principal industry is stock raising and the only time stock can range is during the winter months.

T. 19 S., R. 4 W.--Area surveyed: 5,196.02 acres. Land: low, rolling hills. Timber: scrub juniper and pinon, which has no commercial value except for firewood and fence posts. The greater portion of the township is suitable for dry farming and approximately 1,000 acres of land was under cultivation at the time of the survey. The main road from Holden, Utah, to Oak City, Utah, crosses this township. Church Spring, located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, is the only water found in the area surveyed. No indications of mineral were observed.

(827)

WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

The plat of extension survey of T. 41 N., R. 94 W., 6th P. M., Hot Springs County will be officially filed in the district land office at Cheyenne, Wyoming, on August 1, 1928 at 9 a. m.

This plat represents the completion survey of this township and covers the $W\frac{1}{2}$ of Sec. 21, and all of Secs. 28 and 33.

For 91 days, beginning August 1, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the United States land office at Cheyenne, Wyoming, during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 1, 1928. On October 31, 1928, the lands remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed 1,684.23 acres. This area is situated on the east side of Big Horn River Canyon and is mostly rolling to rough mountainous land. It is well adapted to grazing purposes. There is one settler located in Sec. 28.

(828)

IDAHO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of the following townships will be officially filed in the district land office at Blackfoot, Idaho, on August 6, 1928 at 9 a. m.:

T. 8 S., R. 46 E., B. M. Caribou County.

T. 11 S., R. 46 E., Bear Lake County.

Most of the land represented upon these plats is within the limits of Caribou National Forest and portions of T. 8 S., R. 46 E., are withdrawn for phosphate reserve or classified and restored as valuable for phosphate.

For 92 days, beginning August 6, 1928, the unreserved lands represented upon the said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the United States land office at Blackfoot, Idaho, during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed on August 6, 1928. On November 6, 1928, the lands remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 8 S., R. 46 E.---Area surveyed: 6,358.27 acres. The land included in this survey is mainly mountainous. The soil is a stony clay loam. A medium growth of bunch grass and forage plants affords range for stock. There is a sparse growth of pine, fir, and spruce timber, and considerable undergrowth. There is an ample supply of good water from creeks. There is one settler located in Sec. 5. The nearest post office is Auburn, Wyoming, about 9 miles distant from Sec. 5.

T. 11 S., R. 46 E.---Area surveyed: 16,807.68 acres. The land of this township is mountainous. The soil is a sandy loam, supporting a fine growth of bunch grass and forage plants which affords excellent range for stock. There is a scattering growth of pine, fir, and spruce timber and dense undergrowth of sage and aspen, laurel and willow throughout the township. The water supply is abundant from numerous creeks. The nearest post office is Geneva, Idaho, 4 miles south of the southeast corner of the township, reached by a good road.

(829)

WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

The plats of resurvey of T. 27 N., 113 W., and T. 26 N., R. 115 W., 6th P. M., Lincoln County, will be officially filed in the district land office at Evanston on August 8, 1928, at 9 a. m.

A portion of T. 26 N., R. 115 W., is included in a stock driveway; a portion of T. 26 N., R. 115 W., is within a phosphate reserve; a portion of both townships is within a petroleum reserve, and a portion of both townships has been classified as coal land.

For 91 days, beginning August 8, 1928, the unreserved lands represented upon the said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the United States land office at Evanston, Wyoming, during the 20-day period immediately preceeding the filing of the plats, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 8, 1928. On November 7, 1928, the lands remaining unentered and unreserved will be available for entry under any applicable land law by the public generally.

T. 26 N., R. 115 W., 6th P. M.--Independent Resurvey.--New area returned: 23,455.38 acres. Land: rolling and rough mountainous. Average altitude: 8,500 feet above sea level. The soil is rocky, but produces a good growth of grass and of pine, fir, balsam, and aspen timber. The heaviest growth of timber is found on Miller Mountain in the eastern central portion of the township. The township is well watered by several tributaries of Green River and contains numerous springs. The principal industry is stock raising. There was no mining being carried on in the township at the date of the resurvey, although good coal veins are reported in the west range of sections. Indications of oil shale and a small oil structure were also reported. There are no permanent settlers in the township.

T. 27 N., R. 113 W., 6th P. M.--Dependent Resurvey.--Area shown on original plat: 22,989.69 acres. All classes of land are embraced in this township. The west range of sections is on a high, rocky ridge locally known as "Darby Fault", the west slope of which is covered with a heavy growth of pine, fir, and aspen timber. The two center ranges of sections have a gently rolling surface. The northeastern portion of the township is rough broken mesa land. The soil ranges from second rate sandy loam to very rocky; fourth rate. The township is arid except for a few small springs in the western portion. The principal industry is coal and oil production. A mine in Sec. 33 produces a fair grade of coal. Five producing oil wells were operated, and many other wells were being drilled at the date of the resurvey.

(830)

MONTANA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 3 S., R. 14 W., P. M., Beaverhead County, will be officially filed in the district land office at Great Falls, on July 30, 1928.

All the land represented upon this plat except Sec. 6 is within the limits of Beaverhead National Forest.

For 92 days, beginning July 30, 1928, the unreserved land represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Great Falls during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. of July 30, 1928. On October 30, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed, 23,019.09 acres. This township is composed mainly of rough mountainous land, lying on the western slope of the divide range of mountains between the Big Hole River and Wise River, and extending down to the eastern edge of the Big Hole Basin. There is a small area of cultivable land in Secs. 5 and 6, and the remainder of the township could be classed as good grazing land. The township is drained by Steel Creek, and tributaries flowing northwesterly, by tributaries of Warm Spring Creek, flowing southerly, and by tributaries of Sheep Creek, flowing westerly. Most of the township is densely covered with lodge pole pine timber. Spruce and balsam are plentiful along the water course and good merchantable fir is fairly abundant on the lower slope in the west range of sections. There are two settlers in Sec. 6, and one in Sec. 7. There is also a small sawmill in operation in Sec. 6.

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MEMORANDUM.

ARKANSAS:

The supplemental plat of Secs. 34 and 35, T. 14 N., R. 9 E., 5th P. M., Arkansas, will be officially filed in the district land office at Little Rock on July 26, 1928, at 9 a. m.

This plat represents the survey of 59.93 acres of land bordering on the left-hand chute of Little River, which was erroneously omitted from the original survey of the township. The land is described as being upland in character; soil, a rich, heavy black loam, first rate, and adapted to agriculture. The entire area is occupied by the adjoining landowners who have cultivated and improved the greater portion of the public land area.

For a period of 90 days, beginning with the date of the filing of the plat, the above-described land will be reserved for the filing of preference right applications under the act of September 21, 1922 (42 Stat. 992). At the expiration of this 90-day period, any of the land remaining vacant and unreserved will be open to entry under the homestead laws by qualified former service men of the World War for a period of 91 days, beginning with the date next succeeding the expiration of the said 90-day preference-right period.

Owing to the small area involved, no opening notice has been prepared for distribution in Washington, D. C.

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MEMORANDUM.

FLORIDA:

The plat of survey of 10 islands in Crystal River, in Secs. 28 and 29, T. 18 S., R. 17 E., Tsl. N., Florida, will be officially filed in the district land office at Gainesville on August 17, 1928, at 9 a. m.

These islands will be reserved for a period of 60 days, beginning with the date of filing of the plat, during which period the State of Florida will have the exclusive right to make selections thereof for the satisfaction of its school grant.

At the expiration of this 60-day period the islands, if unselected, will be open to entry under the homestead laws by qualified former service men of the World War for a period of 91 days, beginning with the date next succeeding the expiration of the said 60-day period.

Owing to the small area involved, no opening notice has been prepared for distribution in Washington, D. C.

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MEMORANDUM.

KANSAS:

The plat of survey of an island in the Kansas River, in Secs. 10 and 15, T. 10 S., R. 10 E., 6th P. M., Kansas, containing 15.07 acres, will be officially filed in the General Land Office at 9 a. m., on August 1, 1928.

Said island will be open to entry under the homestead laws by qualified former service men of the World War for a period of 91 days, beginning with the date of filing of the plat.

The island is described as being well elevated above the level of the river and bears a growth of cottonwood, ash, elm, maple, and hickory timber. The soil is suitable for agriculture. Most of the island has been cleared and has been placed in cultivation by a settler.

Owing to the small area involved, no opening notice has been prepared for distribution in Washington, D. C.

RECENT PROCLAMATIONS AND EXECUTIVE ORDERS.

By order of May 21, 240 acres in Idaho have been withdrawn pending classification and in aid of legislation.

Under order of May 25, certain lands in Utah have been withdrawn for classification and pending determination as to advisability of adding same to Zion National Park.

Certain public lands in Cook, Lake, and Saint Louis counties in the State of Minnesota have been withdrawn by order of May 26, for classification and in aid of the legislation proposed in S. 3913 and H. R. 12780.

By order of May 26, the public lands in T. 13 N., R. 1 E., G. & S. R. M., Arizona, have been released from resurvey withdrawal and restored.

By order of May 28, certain lands in Utah have been withdrawn for use by the Department of Commerce in the maintenance of air navigation facilities.

Under order of May 28, the public lands in T. 51 N., R. 80 W., 6th P. M., Wyoming, have been released from resurvey withdrawal and restored.

Under order of June 2, the public lands in T. 8 S., R. 95 W., 6th P. M., are withdrawn pending resurvey.

By order of June 4, certain lands in New Mexico have been withdrawn for classification and in aid of legislation in order to adjudicate the rights of the respective parties in the States of New Mexico and Texas to lands which may be affected by the running of the boundary line between the two States.

By proclamation of June 6, certain public lands in the State of Oregon have been added to the Wallowa National Forest under the provisions of the act of March 4, 1925 (43 Stat. 1279), and certain other lands released from temporary withdrawal thereof and restored.

By proclamation of June 9, certain public lands in California have been added to the Plumas National Forest, under the provisions of the act of February 20, 1925 (43 Stat. 952).

Executive order of December 15, 1913, withdrawing 300 acres in Montana for administrative site purposes, has been revoked by order of June 12, 1928.

By proclamation of June 13, certain lands in Arkansas were added to the Ozark National Forest.

OIL AND GAS ACTIVITIES.

During the month of June the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 384 new applications and 5,386 cases for reconsideration. Permits were granted on 300 applications, 79 applications were finally rejected, and 42 finally rejected on drawings; 171 applications were finally rejected in part; 281 applications were rejected subject to appeal; 29 appeals were transmitted to the Secretary; Departmental decisions were promulgated in 16 cases, 13 affirming, 1 reversing and 2 modifying decisions by this office; 59 assignments were disposed of and 444 applications for extensions of time were acted upon; 317 permits were held for cancellation and 712 permits were canceled; 1,727 cases were awaiting Geological Survey reports and 36 cases were awaiting reports from the Reclamation Bureau; 608 new cases are awaiting Survey reports, and 607 applications were examined and preliminary action taken. 3,805 letters were written, of which 267 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 1 lease was delivered, 1 lease application was submitted to the Department for authorization, 3 leases involving 2 cases were forwarded to the lessees for execution, and 2 leases were transmitted to the Department for execution; 1 lease application was rejected subject to appeal; 13 applications for drilling relief and suspension of production were acted upon; 5 applications for reductions in royalty were disposed of; 5 sales contracts were submitted to the Secretary for approval; 1 application for sales under Section 17 was considered. 78 letters were written, of which 13 were replies to inquiries.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

Receipts under the mineral leasing act of February 25, 1920, during the month of May were \$364,040.02, all from lands outside navy petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF MAY, 1928.

Office.	Business of current month.				Pending at end of month.		
	Applications, proofs, etc., received.	Receipts and final certificates issued and miscellaneous.	General Land Office letters received.	Contest cases initiated.	Total.	Pending designations or otherwise.	Pending Suspended, rejected, or otherwise.
Alaska							
Anchorage	14	104	35		153		3
Fairbanks	10	33	26		69		16
Arizona							
Phoenix	325	1,243	310	26	1,904	130	137
Arkansas							
Little Rock	50	686	32	3	771		48
California							
Los Angeles	309	1,091	233	25	1,658	108	191
Sacramento	166	1,470	250	12	1,898	232	210
Colorado							
Denver	195	2,024	452	53	2,724	209	577
Pueblo	97	965	605	13	1,680	93	116
Florida							
Gainesville	57	709	112	4	882		14
Idaho							
Blackfoot	290	750	168	14	1,222	241	335
Coeur d'Alene	24	205	22	1	252	8	26
Minnesota							
Cass Lake	33	372	49		454		12
Montana							
Billings	220	2,200	235	3	2,658	137	189
Great Falls	439	1,922	349	11	2,721	111	423
Nebraska							
Alliance	101	704	47	2	854	18	12
Nevada							
Carson City	75	881	225	4	1,185	39	113
New Mexico							
Las Cruces	1,050	1,833	509	21	3,413	68	1,045
Santa Fe	278	1,250	531	10	2,069	120	197

North Dakota	24	585	93			702	11	25
Bismarck								
Oregon								
Lakeview	27	159	31	1		218	41	53
Roseburg	73	729	48	8		858	4	56
The Dalles	102	737	58	4		901	116	51
South Dakota								
Pierre	62	813	365	3		1,243	33	46
Utah								
Salt Lake City	250	1,386	342	12		1,990	399	303
Washington								
Spokane	54	618	63			735	28	64
Wyoming								
Buffalo	186	1,240	252	10		1,688	128	144
Cheyenne	253	1,432	382	11		2,078	170	357
Evanston	137	866	180	2		1,185	66	152
Total	4,901	27,007	6,004	253		38,165	2,510	4,915

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE BULLETIN

DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12.

August 1, 1928.

No. 6.

OREGON AND CALIFORNIA TAX UNIT.

Report for the month of July and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

Claims received during month (1927)	(2)	\$103,414.40
Total claims received (1927)	(14)	538,496.95
Claims certified during month (1927)	(3)	151,521.77
Net disallowances in above	---	123.19
Total claims certified (1927)	(10)	432,703.77
Net disallowances in above	---	274.85
Claims pending (1927)	(3)	105,318.33
Total claims received (1926) all	(18)	691,183.62
Total claims certified (1926)	(17)	659,649.09
Disallowances in above	---	27,087.95
Claims pending (1926)	(1)	4,446.58
Total claims received (1916-1925) all	(19)	6,741,466.94
Total claims certified (1916-1925) all	(19)	6,311,168.23
Disallowances in above	---	430,298.71

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SURVEY NOTES.

Oblique State Boundary Line Between California and Nevada.---Authority has been granted, with departmental approval July 24, 1928, for the closing of the public-land surveys on the subsisting California-Nevada State boundary line, involving at the present time about 87 miles of line, as defined by the Coast and Geodetic Survey in 1893-1899, along the oblique boundary line which extends

from Lake Tahoe to the Colorado River. The line so established has been accepted by the respective States as the true boundary line, superseding the original line established in 1873, because this latter was found not to be in conformity with that defined by the State constitution of California as running from the intersection of the one hundred and twentieth degree of west longitude with the thirty-ninth degree of north latitude thence in a straight line in a southeasterly direction to the Colorado River at the point where it intersects the thirty-fifth degree of north latitude. Prior to the resurvey of this line by the Coast and Geodetic Survey, most of the adjacent lands in both States had been closed on the erroneous line established in 1873 by A. W. von Schmidt, and it now becomes necessary to provide for the adjustment of surveys on either side to the subsisting boundary line. This will be accomplished by closing the old surveys on the Coast Survey line as an administrative measure, with a view to defining with accuracy the areas properly belonging in the respective jurisdictions and to the end that ultimate action may be taken to quiet the title to all the alienated lands affected. These alienated lands will be defined, where necessary, by tract segregations, through resurvey procedure, in their proper relation to the jurisdiction within which they may be found to lie.

It was estimated by the Coast Survey that through the changes affected by the resurvey the State of Nevada gains about 321 square miles and California gains about 65 square miles, making a net gain for Nevada of about 256 square miles.

Shoshone or Wind River Indian Reservation, Wyoming.--Under the authority contained in the act of May 21, 1928 (Public No. 442-70th Congress), and the appropriation provided in the act of May 29, 1928 (Public No. 563-70th Congress) provision has been made for the survey of the unsurveyed lands in the Shoshone or Wind River Indian Reservation, Wyoming, preparatory to their classification and allotment, comprising an area of some 276,000 acres.

The work lies on the northeast slope and near the crest of the Continental Divide. The country is exceptionally rough, precipitous and broken and on account of the elevation can be reached and economically surveyed during only two or three summer months of the year; pack animals can be used on all the work but special outfitting for back packing will perhaps be necessary in the area along the Divide, which forms a part of the western boundary.

It is estimated that the field work will cost approximately \$3,000 per township, or a total of \$36,000. By using four independent parties this season and the next, it is thought that the field surveys can be completed by June 30, 1930.

Allotment Surveys, Group 127, California.--Under date of July 16, 1928, this office accepted allotment surveys Nos. 287, 288, 289, and 290, and allotment surveys 280 to 286, inclusive. These surveys were made to cover lands which have been long occupied by Indians of the Klamath tribe. They are situated within the Klamath National Forest in T. 10 N., R. 5 E., T. 14 N., R. 6 E., and Ts. 11 and 12, N., R. 6 E., H. M., and although executed by members of the Surveying Service of the General Land Office, the surveys were made under the regulations governing homestead entry surveys and the returns were prepared in conformity with the accepted standards for such surveys.

Iron Survey Posts.--Under the authority contained in the appropriation act for the fiscal year, 1929, providing for surveying the public lands, an order was placed on July 5, 1928, with the Chief of Ordnance, War Department, under which there will be manufactured for the surveying service about 18,000 one-inch and 6,000 two-inch galvanized iron posts to be used for public-land survey corners and in addition 2,000 brass disks for use where natural conditions prevent the setting of the iron posts in the ground, the total cost not to exceed \$20,000.

Survey at Baton Rouge, La.--Under date of June 28, 1928, authority issued for the survey of a small tract of land in the city of Baton Rouge, Louisiana. The area involved is a portion of the United States Garrison Grounds which was granted to the congregation of St. Joseph's Roman Catholic Church by the act of May 26, 1928 (Public No. 521, 70th Congress).

Advice having been received that several hundred thousand dollars worth of improvements to be placed on the land were being held up pending the issuance of patent, the case was made special. The survey, under Group No. 15, Louisiana, was executed on July 12 and 13; the survey was approved and accepted on July 24, 1928, and patent issued in accordance with the terms of the act on July 26, 1928.

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RECENT DEPARTMENT DECISIONS.

SAM CLARK AND ANGELINE D. CLARK.

By First Assistant Secretary Finney.

(Decided May 17, 1928.)

TOWN SITE--DECLARATORY STATEMENT--MINING CLAIM.

The acts of Congress relating to townsites recognize the possession of mining claims within their limits and the mere filing of a declaratory statement by a townsite trustee is no bar to the exploration and purchase of mineral lands therein.

TOWNSITE--MINING CLAIM--DISCOVERY--EVIDENCE--HEARING--RES JUDICATA.

A finding by the department in a proceeding between a mining claimant and a townsite applicant that there had been no discovery of mineral is conclusive as to the status of the mining claim at the time of the hearing, but a finding made in dismissing without prejudice a mining claimant's protest against a townsite application is not conclusive on the mining claimant.

TOWNSITE--MINING CLAIM--DECLARATORY STATEMENT--DISCOVERY--PRIORITY--FINAL CERTIFICATE--VESTED RIGHTS.

The superior right of a mining claimant who makes discovery subsequent to the filing of a townsite declaratory statement by another de-

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depends upon whether or not discovery of mineral was made prior to final entry of the townsite or prior to the date that the townsite claimants have done everything required under the laws and regulations to entitle them to a certificate of purchase and the issuance of it is all that remains to be done.

MINING CLAIM--DISCOVERY--OCCUPANCY--POSSESSION--DILIGENCE--ADVERSE CLAIM.

Prior to discovery an explorer in actual occupation and diligently searching for mineral is a licensee or tenant at will; and no adverse right can be initiated or acquired through a forceable or fraudulent intrusion upon his possession, but if his occupancy be relaxed, or be merely incidental to something other than a diligent search for mineral, another may acquire a valid right by peaceable entry and compliance with law.

TOWNSITE--MINERAL LANDS--FINAL CERTIFICATE--VESTED RIGHTS--WORDS AND PHRASES--STATUTES.

In construing the townsite laws in their relation to the mining laws, the term "date of townsite entry" means the date when final entry of the townsite is made and certificate of purchase issued, or when the right of the townsite claimants becomes vested.

TOWNSITE--MINING CLAIM--EVIDENCE--PATENT.

As between mineral and townsite claimants, the conditions with respect to the character of the land, as they exist at date of entry, or at the time when all the necessary requirements of law have been complied with by the one seeking title, determines whether the land is subject to sale or other disposal under the law upon which the application for patent is based.

TOWNSITE--MINING CLAIM--DISCOVERY--PATENT.

A discovery of minerals after a townsite patent has been issued does not defeat or impair the title of persons claiming under the patent.

"N" Phoenix 060886.

SAM CLARK AND ANGELINE D. CLARK

Motion for rehearing of departmental decision of May 17, 1928

(52 L. D., _____), denied by First Assistant Secretary

Finney, July 3, 1928.

"N" Phoenix 060886.

J. M. BEARD.

(Decided by First Assistant Secretary Finney, May 17, 1928.)

SURVEY--RESURVEY--PUBLIC LANDS.

In making resurveys of public lands the township is to be considered as a unit, and the purpose to be subserved by such resurveys can, as a general rule, be properly accomplished only by the process which will lay, as the foundation therefor, the same character of control as that laid in the original survey.

SURVEY--RESURVEY--PUBLIC LANDS--BOUNDARIES--EVIDENCE.

Where it becomes necessary, in the absence of original corners, to define the legal subdivision included in any claim to public land, items of topography which were noted merely as incidental in their relation to the lines of the public survey and performed no function in the establishment of the position of the corners thereof, will not control.

SURVEY--RESURVEY--PUBLIC LANDS--LAND DEPARTMENT--COURTS--OFFICERS--FRAUD--JURISDICTION.

The power of making surveys of the public lands which is vested in the Land Department can not be divested by the fraudulent action of a subordinate officer, nor can its exercise of jurisdiction in determining what are public lands subject to survey and disposal under the public land laws be questioned by the courts before it has taken final action.

COURT DECISION CITED AND APPLIED.

Case of Kirwan v. Murphy (189 U. S. 35), cited and applied.

"E" 1221914 - 1910.

WAKEFIELD v. RUSSELL.

(Decided by First Assistant Secretary Finney, June 21, 1928.)

OIL AND GAS LANDS--PROSPECTING PERMIT--APPLICATION--FEES AND COMMISSIONS.

Existing departmental practice directs that an application for an oil and gas prospecting permit which is accompanied by an insufficient filing fee be merely suspended until the applicant has had thirty days within which to tender the requisite fee and, until the expiration of that period, a later prospecting permit application for the same lands must be treated as a junior application.

APPLICATION--FEES AND COMMISSIONS--PRIOR DEPARTMENTAL REGULATIONS MODIFIED.

Modification directed of the general rule contained in Circular No. 616 (46 L. D., 513), which requires that all applications that are accompanied by insufficient filing fees, regardless of the amounts tendered, be merely suspended with segregative effect.

"N" Denver 039057, 039058.

ELIZABETH M. JONES (ON REHEARING).

(Decided by First Assistant Secretary Finney, June 22, 1928.)

HOMESTEAD ENTRY--CHANGE OF ENTRY--UNDIVIDED INTEREST--TRANSFER--ESTOPPEL.

An original entryman who, after the unauthorized cancellation of his entry, acquires from the patentee an undivided half interest in the land, becomes seized with an interest in the whole of the premises and is, therefore, estopped from invoking the relief which the act of January 27, 1922, would have afforded him had the title remained in another.

HOMESTEAD ENTRY--TRANSFER--DEEDS--PRESUMPTION--EVIDENCE--ESTOPPEL.

One who contracts to acquire the title to land and subsequently conveys to a third party, is estopped to deny that he had title at the time of the conveyance where the deed is passed upon the assumption of title in him and purports to convey that title.

DEPARTMENTAL DECISION RESTATED AND APPLIED.

Case of Lars B. Haralside (51 L. D., 245), restated and applied.

"K" Great Falls 071874.

The Dalles 026436.

REED v. HEIRS OF FROST.

(Decided by First Assistant Secretary Finney, June 22, 1928.)

CONTEST--NOTICE--PRACTICE.

While all notices of contest should bear the date when issued, yet the date the notice is actually issued is the governing date within the purview of Rule 8 of Practice.

CONTEST--ABATEMENT--APPEAL--PRACTICE.

The overruling of a motion to abate a contest is not a final decision on the contest, and consequently the right of appeal from such action is not accorded by Rule 74 of Practice.

"F" Pueblo 049113.

STATE OF FLORIDA (ON REHEARING).

(Decided by First Assistant Secretary Finney, June 25, 1928.)

SCHOOL LAND--INDEMNITY--SELECTION--SURVEY--FLORIDA.

A State is not entitled to indemnity for losses of school sections in place in a township made fractional by reason of a natural cause where the aggregate area of the surveyed lands of the township is less than 640 acres.

SCHOOL LAND--INDEMNITY--SELECTION--SURVEY--COMMISSIONER OF THE GENERAL LAND OFFICE--RES JUDICATA--FLORIDA.

Information furnished by the Commissioner of the General Land Office to the effect that a State is entitled to indemnity on account of the fractional condition of a township, based upon a protraction of the lines of survey, is not conclusive and does not obligate the Department to approve selections to which the State is not entitled under well-established rulings and decisions.

SCHOOL LAND--INDEMNITY--SELECTION--AMENDMENT--WITHDRAWAL--FLORIDA.

An indemnity school selection, rejected because of the tender of fatally defective base, can not be amended so as to defect the force and effect of an intervening withdrawal.

"F" Gainesville 016947.

MARGARET RUSSELL JUSTHEIM ET AL (ON PETITION).

(Decided by First Assistant Secretary Finney, June 25, 1928.)

OIL AND GAS LANDS--PROSPECTING PERMIT--SURVEY--SEGREGATION--LEASE.

Where oil and gas prospecting permits have been granted for an entire body of a given area of unsurveyed lands and segregated on the records in terms of future subdivisional survey descriptions with common boundaries, intruding applications will not be allowed for narrow strips of lands between individual claims which, due to error in measurements, were not covered by the metes and bounds descriptions of the prior permits, but the lands thus segregated will be held subject to adjustment to conform to the lines of the future official survey upon application for lease should discovery of oil or gas be made.

"N" Salt Lake City 038970, 038971, 039061, 041029.

SOUTHERN PACIFIC RAILROAD COMPANY.

(Decided by First Assistant Secretary Finney, June 25, 1928.)

RAILROAD GRANT--MINERAL LANDS--EVIDENCE--BURDEN OF PROOF.

The question as to whether a particular subdivision within the primary limits of a railroad grant, which excepted mineral lands, is mineral or nonmineral in whole or in part, is a matter for judicial determination upon the record before him by the officer before whom the issues are pending decision, with the burden of proof upon the railroad grantee to establish what, if any, specific portions of the subdivision passed under the grant.

RAILROAD GRANT--MINERAL LANDS--SURVEY.

It is neither the duty nor is it within the discretion of the surveyor who is commissioned to make segregation surveys of lands within the primary limits of a railroad grant, to locate the position of the vein in the subdivision or decide what specific area adjacent to the outcrop of the vein is impressed with a mineral value.

RAILROAD GRANT--MINERAL LANDS--ANSWER--EVIDENCE.

An answer by a railroad grantee to a charge that certain tracts are mineral in character is insufficient where it does not specifically describe by aliquot parts of a subdivision or by definite metes and bounds what portions of the tracts it admits and what portions it denies to be mineral.

"N" Los Angeles 033556.

FRANCES R. M. STEFFENSMIER.

(Decided by First Assistant Secretary Finney, June 30, 1928.)

HOMESTEAD ENTRY--STOCK-RAISING HOMESTEAD--MARRIAGE--STATUTES.

The stock-raising homestead act of December 29, 1916, enlarged the rights of both the husband and wife under the homestead law, and the act of April 6, 1914, as amended, allowing the intermarriage of homesteaders, did not in anywise abridge their rights under the former act.

HOMESTEAD ENTRY--STOCK-RAISING HOMESTEAD--ADDITIONAL--MARRIAGE--RESIDENCE--STATUTES.

An entrywoman who, after her marriage, made her home upon her husband's entry as authorized by the homestead law, continues to own and reside upon her original entry within the meaning of section 5 of the stock-raising homestead act, and is entitled to make an additional entry thereunder of land within 20 miles of her original entry.

"C" Great Falls 066071.

CONRAD BJERKE.

(Decided by First Assistant Secretary Finney, July 3, 1928.)

REPAYMENT--LEGAL REPRESENTATIVE--ASSIGNEE--STATUTES--WORDS AND PHRASES.

The term "legal representatives" as used in the act of January 8, 1926, which authorizes repayment of the difference between the amounts paid by purchasers of town lots and the price fixed as result of reappraisement, includes an assignee of an original purchaser.

DEPARTMENTAL DECISION AND INSTRUCTIONS APPLIED.

Case of Clearwater Timber Company (44 L. D., 516), and instructions of October 25, 1916 (45 L. D., 520), applied.

"M" Great Falls 056080.

J. M. BEARD (ON REHEARING).

(Decided by First Assistant Secretary Finney, July 25, 1928.)

SURVEY--RESURVEY--PUBLIC LANDS.

In the resurvey of public lands two distinct types have been adopted, namely, the dependent resurvey, and the independent resurvey, each of which is dissimilar from the other.

SURVEY--RESURVEY--BOUNDARIES.

A dependent resurvey consists of a retracement and reestablishment of the lines of the original survey in their true original positions, according to the best available evidence of the positions of the original corners, without reference to tract segregations of alienated lands entered or patented by legal subdivisions of the original survey.

SURVEY--RESURVEY.

In legal contemplation, and in fact, lands contained in a certain section of the original survey and those contained in the corresponding section of a dependent resurvey are identical.

SURVEY--RESURVEY--BOUNDARIES.

An independent resurvey consists of the running of what are in fact new section or township lines without reference to the corners of the original survey and of the designating by metes and bounds of the lands entered or patented by legal subdivisions of the sections of the original survey which are not identical with the corresponding legal subdivisions of the independent survey.

SURVEY--RESURVEY--BOUNDARIES.

The fact that in the resurvey of a township the boundaries of all the original sections were not remonumented in nowise affects the position of the section lines which were resurveyed and the corners which were reestablished.

SURVEY--RESURVEY--NATURAL MONUMENTS--BOUNDARIES.

Items of topography in the interior of sections, are based upon estimates by the surveyor rather than upon actual measurements, and represent only an approximation of the actual positions of natural monuments, and are not to prevail over courses and distances.

SURVEY--RESURVEY--ALIENATION--PATENT.

In a township where the interior section corner monuments can not be found, the proper method of determining what land passed from the Government by patent or grant is by proportionate measurement between existing and properly restored corners on the township boundaries without regard to incidental items of topography.

SURVEY--RESURVEY--ALIENATION--PATENT.

Where lands in a grant or patent from the United States are described in terms of the rectangular surveying system, the only right, title or interest acquired thereby is that defined by the corners of the original Government survey upon which the description is based.

SURVEY--RESURVEY--BONA FIDES.

In the execution of resurveys the Government is bound to protect only bona fide rights acquired through the exercise of good faith, and a claimant who fails to exercise that degree of good faith cognizable in law or equity is not entitled to protection.

COURT DECISION CITED AND APPLIED.

Case of Security Land and Exploration Company v. Burns (193 U. S. 167), cited and applied.

"E" 1221914 - 1910.

IDAHO UNIVERSITY GRANT CLOSED.

The grant to the State of Idaho of 46,080 acres for the benefit of a university has just been closed by the approval of a selection of 41.77 acres, which with the preceding approved selections (46,038.23 acres) under the grant, makes the exact total of 46,080 acres.

It is rather a remarkable coincidence that the State should have found a desirable tract of just such an acreage as would complete the exact amount of the grant.

In upwards of 60 similar grants to the States that have been closed within recent years, it has not happened before that the selections exactly equaled the total amount granted.

Many of such grants are closed with a difference of less than one acre, and frequently there is a difference of several acres more or less than the amount of the grant. However, in the case of a grant of 500,000 acres to the State of New Mexico for water reservoirs for irrigating purposes, the grant was closed with an acreage of 499,999.94 acres, being a difference of only .06 of an acre; and in the case of a grant to the State of Washington of 200,000 acres for State charitable and educational institutions, the grant was closed with an acreage of 200,000.03 acres, being a difference of only .03 of an acre.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Washington

July 23, 1928.

ORDER NO. 287.

The following orders are republished for the information and guidance of all officers and employees of the Department.

Raffling, in all its phases, soliciting chances, and disposing of articles in any similar way, for any purpose whatever, are prohibited in this Department and in all its bureaus and offices.

The attention of the heads of bureaus and offices of this Department is again called to departmental regulation promulgated November 30, 1908, which prohibits collectors, peddlers, newsboys, beggars, solicitors of subscriptions, vendors of articles and all like persons from practicing or pursuing their vocations within the building occupied and used by this Department or any of its bureaus and offices. Your earnest cooperation is enjoined to the end that this regulation may be rigidly enforced.

It is also directed that vendors of material and appliances of any and all kinds or character or nature whatever and solicitors of patronage be prohibited from visiting the rooms of employees in any of the offices of this Department during business hours.

It is the duty of the day watchmen and messengers to see that this regulation is enforced and promptly to report any violation of it to the Chief Clerk of the Department.

E. C. FINNEY,

Acting Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 7, 1928.

O R D E R:

Captain George E. Hair, Chief Inspector, and Mr. Ralph S. Kelley, Mr. J. Arthur Moore, and Mr. John T. Murphy, Division Inspectors, are hereby designated as a board to make a preliminary study of the present temporary administrative allocations of members of the inspector service, as compared with positions of similar responsibility in other services and other departments, and to submit such recommendations for changes therein as they may deem proper, and also to submit appropriate data for submission by this bureau, through the Department, to the Personnel Classification Board if and when requested, in connection with its survey of the field, as provided by section 2 of the act of May 28, 1928.

WILLIAM SPRY,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 12, 1928.

Registers,

Relative to collection of
rentals and royalties.

United States Land Offices.

Sirs:

The Secretary of the Interior, under date of July 10, 1928, directed that certain proceedings be followed in the matter of collection of rentals and royalties under the general leasing act.

In accordance therewith you are directed to make demand for payment of overdue accounts for rentals and royalties upon the lessee or other responsible person at the proper time, and if the demand is not complied with within the time allowed by you, you will then send the account to Mr. P. F. Roosa, Auditor and Accountant, 319 Federal Building, Salt Lake City, Utah, who will be held responsible for the collection. When you send the account to Mr. Roosa you will advise this office thereof.

If the account remains unsettled for a considerable period after it is in the hands of Mr. Roosa this office will then take such action as the circumstances warrant.

Very respectfully,

WILLIAM SPRY,
Commissioner.

Circular No. 1157.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 25, 1928.

Registers and

Special Disbursing Agents.

Gentlemen:

General Accounting Office regulations require that:

"On the first of the quarter...disbursing officers having in their possession checks issued to pay obligations of the United States, which for any reason remain undelivered for more than three full months from the last day of the month of issue, should forward such checks to the General Accounting Office, Claims Division, Liabilities Section, for safe-keeping and disposition.

"In forwarding the checks a statement should be furnished giving the name and symbol number of the disbursing officer and listing each check by number, date, amount, payee, payee's last known address, voucher reference and statement of the nature of the payment; that is, whether for salary, reimbursement of expenses, supplies furnished, etc."

You will note that undelivered checks are to be sent direct to the General Accounting Office - not to this office - and that they are not to be held longer than through the quarter next succeeding the date on which they are drawn. The regulations apply to checks of all fiscal officers.

Very respectfully,

D. K. PARROTT,

Acting Assistant Commissioner.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(1)

WYOMING:

MEMORANDUM.

In accordance with departmental order dated June 25, 1928, 28 farm units of lands within the Willwood Division of the Shoshone Federal Irrigation Project, Wyoming, in Ts. 54 and 55 N., Rs. 98 and 99 W., 6th P. M., will be opened to homestead entry subject to the reclamation act of June 17, 1902 (32 State., 388). Honorably discharged veterans of the World War will have a preference right to make entry up to October 18, 1928; on and after that date any of the farm units remaining unentered will be subject to homestead entry by any person having the necessary qualifications. Farm application blanks which are filed with the project superintendent at Powell, Wyoming, within the 10-day period from July 16 to 25, 1928, inclusive, will be considered as simultaneously filed. Within 15 days from date of receipt of the applicant's approved water application, he must file homestead application for the lands at the United States land office at Cheyenne, Wyoming.

The farms are of various sizes, containing from 51 to 85 irrigable acres each and are in Park County.

Powell, Ridge, and Garland on the Chicago, Burlington and Quincy Railroad appear to be the nearest towns to the lands.

In addition to the qualifications required under the homestead laws, an applicant for the lands must satisfy the examining board appointed for the Shoshone irrigation project, that he is possessed of certain qualifications as to industry, experience, character and capital as will give reasonable assurance of success by the prospective settler.

EFFECTIVE DATES.

Simultaneous filing period for ex-service men to file water rental applications with the project superintendent July 16 to 25, 1928, inclusive.

Preference right period for ex-service men to file applications to make homestead entry at the United States land office July 16 to October 17, 1928, inclusive.

Lands open to general public October 18, 1928.

(2)

WYOMING:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Six hundred sixty-three and fifty-one hundredths acres in Park County, Cheyenne land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning July 30, 1928. Applications of ex-service men may be presented at any time within the twenty days prior to that date. On and after October 30, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been released from stock driveway withdrawal. Further information, if desired, may be obtained from the United States land office at Cheyenne, Wyoming.

Approved: July 9, 1928.

WILLIAM SPRY,

Commissioner,

(3)

WASHINGTON:

OPEN TO ENTRY THROUGH SURVEY.

The plat of extension survey of T. 36 N., R. 9 E., W. M., Skagit County, will be officially filed in the district land office at Spokane on August 7, 1928, at 9 a. m.

All the land represented upon this plat except Secs. 16 and 17 is within the limits of Mount Baker National Forest.

For 91 days, beginning August 7, 1928, the unreserved land represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Spokane during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 7, 1928. On November 6, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed: 14,117.70 acres. This area is rough and mountainous, and ranges in elevation from about 1,800 to 4,500 feet. The soil is dark and clayey loam mixed with gravel and rock. Steep slopes and heavy snowfall unfit the township for agricultural purposes. The greater part of this area is covered with a heavy growth of hemlock, fir, cedar, and yew timber, large and of good quality on the lower elevations. Most of the area is covered with a dense undergrowth of many varieties. No evidence of mineral was found, and there is no settlement within the limits of the new survey.

Approved: July 3, 1928.

WILLIAM SPRY,
Commissioner.

(4)

OREGON:

RESTORATION FROM FOREST WITHDRAWAL.

About 4,200 acres in Wallowa County, The Dalles land district, opened to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days, beginning August 8, 1928. Applications of ex-service men may be presented at any time within 20 days prior to that date. On and after November 7, 1928, any of the land remaining unentered will be subject to appropriation under any applicable public land law by the general public.

The land has been found not to be valuable for forest purposes and has therefore been released from withdrawal for forest classification. Further information, if desired, may be obtained from the United States land office at The Dalles, Oregon.

Approved: July 9, 1928.

WILLIAM SPRY,

Commissioner.

(5)

COLORADO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of Dependent Resurvey of Ts. 49 N., Rs. 11 and 12 W., N. M. P. M., Montrose County, will be officially filed in the district land office at Denver on August 9, 1928, at 9 a. m.

A portion of T. 49 N., R. 11 W., is within a reclamation withdrawal and the greater part of T. 49 N., R. 12 W., is within the limits of Uncompahgre National Forest.

For 91 days, beginning August 9, 1928, the unreserved lands represented upon the said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the United States land office at Denver, during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 9, 1928. On November 8, 1928, the lands remaining unentered and unreserved will be available for entry under any applicable land law by the public generally.

T. 49 N., R. 11 W., N. M. P. M.--Area resurveyed: 22,994.82 acres. Land: rolling mesa and mountainous. Soil: sandy clay and stony. Timber: cedar and pinyon which has been cut for firewood and fencing until little timber of value is left. No evidence of mineral was noted. Dry Creek flows through this township, but the water has been impounded in Olathe Reservoir in T. 48 N., R. 11 W., and the water supply has been cut off. Mr. Marsh has a small reservoir in Secs. 7 and 18. Most of the mesas have been settled upon, but at the time of survey there were but three settlers in the township: Mr. Marsh, in Sec. 7; Mr. Haynor, in Sec. 31; and Mr. Green, in Sec. 11.

T. 49 N., R. 12 W.--Area resurveyed: 23,027.80 acres. Land: mesa and bench. Soil: shallow sandy loam on sandstone. There is no timber of commercial value. Cedars and pinyons grow on the mesa tops and steep canyon slopes. The highest elevation in this township is about 8,000 feet above sea level. The township is drained by Roubideau Creek and several tributaries. There are four ranches in this township located in Secs. 3, 25, and 26, but they were apparently abandoned at the time of survey because of the shortage of water for irrigation purposes. Mineral indications were not noted.

Approved: July 7, 1928.

WILLIAM SPRY,

Commissioner.

(6)

FLORIDA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of lands in Secs. 1 and 2, T. 40 S., R. 26 E., Tal. M., Charlotte County, will be officially filed in the district land office at Gainesville on August 15, 1928, at 9 a. m.

This plat represents the completion of the surveys of these sections and affords a description for 119.46 acres of public land.

For 91 days, beginning August 15, 1928, the unreserved land represented upon the said plat will be open to entry under the homestead laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Gainesville during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 15, 1928. On November 14, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the general public.

The land is of the class locally known as "prairie" with considerable swamp. The soil of the dry land is suitable for agriculture and is now covered with a good growth of prairie grass and saw palmetto. The land is included in a phosphate reserve.

It appears likely that settlement claims will be asserted for all the public lands shown on this plat.

Approved: July 2, 1928.

WILLIAM SPRY,

Commissioner.

(7)

IDAHO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of Ts. 15 and 16 S., R. 43 E., B. M., Bear Lake County, will be officially filed in the district land office at Blackfoot on August 20, 1928, at 9 a. m.

The greater part of the lands represented upon these plats are within the limits of a national forest and a portion of the land represented upon the plat of T. 16 S., R. 43 E., is within a power-site reserve.

For 91 days, beginning August 20, 1928, the unreserved lands represented upon the said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the United States land office at Blackfoot during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 20, 1928. On November 20, 1928, the lands remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 15 S., R. 43 E.--Area surveyed: 8,315.50 acres. Land: mountainous. Soil: clay loam, stony, first to third rates. There is a fair stand of bunch grass and other forage plants which afford splendid range for cattle and sheep. Timber: scattering pine, fir, and dense undergrowth of sage, aspen, laurel, willow, mountain maple, and mahogany. There are extensive old workings and active prospecting for lead in Secs. 5, 8, 17, and 20. There is an abundant water supply from creeks and springs. The nearest post office is St. Charles, Idaho, located in Secs. 13, 14, 23, and 24 of this township.

T. 16 S., R. 43 E.--Area surveyed: 9,567.75 acres. Land: mountainous and rolling. Soil: clay loam, stony, first to third rates. There is a fair stand of bunch grass and forage plants which afford splendid range for cattle and sheep. Timber: pine and fir. There is a dense undergrowth of sage, aspen, laurel, mountain maple, ash, mahogany, and willow. There are no mineral indications. The north part of the west half of this township is watered by Fish Haven Creek, while the south part is dry. The nearest post office is Fish Haven, Idaho, located in fractional Sec. 14, on a highway.

Approved: July 10, 1928.

WILLIAM SPRY,

Commissioner.

(8)

ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of extension survey of T. 20 S., R. 27 E., G. & S. R. M., Cochise County, will be officially filed in the district land office at Phoenix on August 2, 1928, at 9 a. m.

This plat represents the completion survey of this township and covers Secs. 1, 2, 11 to 14 inclusive, 23 to 25 inclusive, 36, and the E $\frac{1}{2}$ Secs. 3, 10, 15, 22, and 26.

For 91 days beginning August 2, 1928, the unreserved lands represented upon the said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the U. S. land office at Phoenix during the 20-day period immediately preceding the filing of the plat and all applications so filed will be treated as though simultaneously filed on August 2, 1928, at 9 a. m.

On November 1, 1928, the lands remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area of land surveyed: 8,031.60 acres. Land: Mountainous. The township lies entirely in the Swisshelm Mountains. The elevation is between 4,500 and 6,500 feet above sea level. The township is sparsely timbered on the northeast slopes, the timber consisting of scrub oak and juniper suitable only for fuel and fencing purposes. A spring and cabin are located in the SW $\frac{1}{4}$ Sec. 14. A few mining claims are being worked in Sec. 12, a dug well furnishing the water. No other water was observed in this township. There are a few unworked patented mining claims in Secs. 1 and 12. Grazing is good.

(9)

WYOMING:

From Segregation under the Cary Act.

One thousand nine hundred and fifty-seven and ninety hundredths acres of land in Platte County, Cheyenne land district, opened to homestead and desert-land entries by qualified ex-service men of the World War, beginning August 9, 1928, and opened to entry by the general public under applicable public land laws on November 8, 1928. The soldiers' simultaneous filing period is from July 20 to August 8, 1928, inclusive, and the simultaneous filing period for the general public from October 19 to November 7, 1928, inclusive.

The lands are located near the town of Wheatland, which is situated on the Colorado and Southern Railroad.

The lands involved consist of rough, broken hills and areas of level bench lands having a coarse, gravelly soil. These lands are of practically no value for dry farm development but are useful for stock-raising purposes.

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(10)

WYOMING:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Five thousand and thirty-four acres in Sheridan County, Buffalo land district, opened to surface entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days, beginning August 11, 1928. Applications of ex-service men may be presented at any time within the twenty days prior to that date. On and after November 10, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been released from stock-driveway withdrawal. Further information, if desired, may be obtained from the United States land office at Buffalo, Wyoming.

(11)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 20 N., R. 6 W., N. M. P. M., McKinley County, will be officially filed in the district land office at Santa Fe, on September 1, 1928, at 9 a. m.

For 91 days, beginning September 1, 1928, the unreserved land represented upon this plat will be open to entry under the homestead and desert land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the U. S. land office at Santa Fe, New Mexico, during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m., on September 1, 1928.

On December 1, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed: 22,690.43 acres. Land: Rolling and broken. The northern portion is a low mesa about 100 feet high. Soil: Sandy loam and clay. Patches of sage-brush cover most of the surface. The southern portion has a fair growth of grass. No permanent water and no indications of minerals were found. There were no settlers at the time of survey. The entire township is embraced in a coal land withdrawal.

(12)

WYOMING: FROM SEGREGATION UNDER THE CAREY ACT.

One thousand seven hundred and sixty acres of land in Platte County, Cheyenne land district, opened to homestead and desert-land entries by qualified ex-service men of the World War, beginning August 14, 1928, and opened to entry by the general public under applicable public land laws on November 13, 1928. The soldiers' simultaneous filing period is from July 25 to August 13, 1928, inclusive, and the simultaneous filing period for the general public from October 25 to November 12, 1928, inclusive.

The lands are located near the town of Wheatland, which is situated on the Colorado and Southern Railroad.

The lands involved consist of rough, broken hills and areas of level bench lands having a coarse, gravelly soil. These lands are of practically no value for dry farm development but are useful for stock-raising purposes.

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(13)

IDAHO: NOTICE OF FILING OF PLAT OF SURVEY.

The plat of survey of a portion of T. 10 N., R. 30 E., B. M., Clark County, will be officially filed in the district land office at Blackfoot on August 27, 1928, at 9 a. m.

The greater portion of the land represented upon this plat is within the limits of Lemhi National Forest.

For 92 days, beginning August 27, 1928, the unreserved land represented upon the said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Blackfoot during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on August 27, 1928. On November 27, 1928, the land remaining unentered, and unreserved will be available for entry under any applicable public land law by the public generally.

Total area surveyed: 19,607.56 acres of which 394.36 acres are included in patented mineral claims. Land: generally rough, mountainous, except in the northwest corner of the township, which consists of open rolling land. Soil: stony and of very little agricultural value. Timber: scattering pine and fir throughout the greater portion of the township. Undergrowth: small timber, mahogany, and a fair growth of native grass. There is a small spring in Sec. 36, and another in Sec. 24. The latter, however, is practically inaccessible. Owing to scarcity of water, the township is of very little value for grazing purposes. The east half of the township is mineralized. Extensive mining operation have been carried on in Sec. 22. Two large panels of Indian picture writing are found in Sec. 32.

(14)

ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of T. 40 N., R. 1 E., and T. 37 N., R. 4 E., G. and S. R. M., Coconino County, will be officially filed in the district land office at Phoenix, Arizona, on August 20, 1928, at 9 a. m.

A portion of the land represented upon these plats is included in a national forest and game preserve.

For 92 days beginning August 20, 1928, the unreserved land represented upon these plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War and also to entry by those persons claiming a preference right to the lands superior to that of the soldier. These parties may file their applications at the United States land office at Phoenix, Arizona, during the 20-day period immediately preceding the filing of the plats and all applications so filed will be treated as though simultaneously filed on August 20, 1928. On November 20, 1928, the lands remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 40 N., R. 1 E.---Area surveyed: 22,949.04 acres. The land in this township is rolling, hilly and mountainous, being highest in the mountainous areas in the southeastern part of the township, and slopes in a general northwesterly direction. The township is poorly watered, there being no permanent springs or other sources of living water. The hilly and mountainous parts are covered with a heavy growth of cedar and pinyon timber too small for commercial purposes but of value for fencing and fuel. There is a fair growth of nutritious grass which adapts the township as a whole to grazing purposes.

T. 37 N., R. 4 E.---Area surveyed: 23,033.52 acres. This township has every variety of land from level to mountainous, being highest along the west boundary in the foothills of the Buckskin Mountains. The general slope of the land is to the east in the direction of the Colorado River. The township is sparsely timbered with a scattering growth of cedar and pinyon on the broken and mountainous part along the west boundary. The township is poorly watered, the only water being that brought by pipe line from Kane Springs in the township to the west. The soil is generally shallow and underlaid with limestone bedrock. The township as a whole is best adapted to grazing purposes.

(15)

COLORADO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey of T. 44 N., R. 15 W., N. M. P. M., San Miguel County, will be officially filed in the district land office at Denver on September 11, 1928, at 9 a. m.

For 91 days, beginning September 11, 1928, the unreserved land represented upon this plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Denver, Colorado, during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on September 11, 1928. On December 11, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area resurveyed: 20,764.76 acres. Land: mountainous; soil heavy reddish-brown sandy clay of good quality, suitable for farming when irrigated. Timber: cedar and pinon. Prospect oil wells have been drilled, but no oil has been discovered in this township. One stream of good water has been brought in for irrigation purposes from the high mountains to the east of the township. No signs of mineral bearing ores were found. There are a number of settlers living in the township.

RECENT PROCLAMATIONS AND EXECUTIVE ORDERS.

By order of June 22, the Minnesota National Forest in Minnesota has been designated as the Chippewa National Forest.

Under order of June 23, the public lands in T. 23 N., Rs. 97 and 98 W., T. 24 N., Rs. 97, 98, 99, and 100 W., Secs. 1 to 28 in T. 23 N., R. 99 W., and Secs. 1 to 14 in T. 23 N., R. 100 W., 6th P. M., Wyoming, are withdrawn pending resurvey.

Executive order of April 10, 1925 (No. 4196), establishing the Lee National Forest on the Camp Lee Military Reservation, Virginia, has been revoked by order of June 23.

Under order of June 26, certain public lands in Utah, amounting to 366.54 acres, have been withdrawn for use by the Department of Commerce in the maintenance of air navigation facilities.

By order of June 29, the public lands in Ts. 25 N., Rs. 4 and 7 E., Mich. M., Michigan, have been withdrawn pending resurvey.

Certain lands in the State of Colorado in the San Juan National Forest were transferred to and made a part of the Montezuma National Forest by proclamation of July 6, to be thereafter administered as a part of the latter forest.

By order of July 7, a tract of unsurveyed land in Ts. 25, 26, and 27 N., R. 14 E., and Ts. 26 and 27 N., R. 15 E., N. M. P. M., New Mexico, within the Carson National Forest, has been withdrawn for the protection of the watershed from which the Indians obtain water for irrigation and domestic purposes.

By order of July 12, approximately 85 acres in T. 10 N., R. 10 E., G. & S. R. M., Arizona, were excluded from the Tonto National Forest and reserved for townsite purposes.

Under proclamation of July 13, the regulations under the Migratory Bird Treaty Act have been amended.

The withdrawals made by orders of March 22, 1916, and January 28, 1921, have by order of July 13 been revoked as to certain lands in T. 10 N., R. 13 E., and Ts. 8 and 9 N., R. 14 E., B. M., Idaho.

By order of July 13, the withdrawal made by order of September 23, 1926, in aid of legislation, has been revoked.

The withdrawal made by order of February 16, 1927, for use and benefit of the U. S. Navy for the development of and use as an ammunition depot, has been revoked by order of July 16.

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OIL AND GAS ACTIVITIES.

During the month of July the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 333 new applications and 3,697 cases for reconsideration. Permits were granted on 202 applications, 97 applications were finally rejected, 21 finally rejected on drawings, and 132 rejected in part; 247 applications were rejected subject to appeal; 10 appeals were transmitted to the Secretary; departmental decisions were promulgated in 14 cases, 12 affirming and 2 reversing decisions by this office; 62 assignments were disposed of and 409 extensions of time acted upon; 2,126 permits were held for cancellation and 647 permits were canceled; 1,121 cases were awaiting Geological Survey reports and 9 awaiting Reclamation reports; 552 new cases are awaiting Survey reports, and 552 cases were examined and reports called for. 4,883 letters were written, of which 186 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 2 leases were delivered, 2 leases involving 1 case were submitted to the Secretary for execution, and 3 leases involving 2 cases were mailed to lessees for execution; 1 lease application was rejected subject to appeal, and 1 lease was canceled and permit reinstated; drilling relief was recommended in 1 case and approved in 6 cases; 14 assignments were disposed of, and 11 applications for extensions of time acted upon; report from the Geological Survey on 1 sales contract was called for and 4 sales contracts involving 3 cases were approved; reports from Geological Survey on 4 applications for reduction of royalty were called for, and 1 application for reduction of royalty was rejected; 1 bond was released. 132 letters were written, of which 43 were replies to inquiries.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of June were \$513,547.96, all from lands outside of naval reserves.

Consolidated Work Report of Local Land Offices for Month of June, 1928.

Office.	Business of Current Month.				Pending at end of month.			
	Applications, Receipts and proofs, etc., received.	final certi- ficates issued and miscel- laneous.	General Land Office letters received.	Contest cases initiated.	Total.	Pending design- nation.	Suspended, rejected, or other- wise.	Pending unacted on by Registrar.
Alaska	22	94	75		191		3	
Anchorage								
Arizona	272	1,275	500	16	2,063	153	140	
Phoenix								
Arkansas	44	652	42	1	739		52	
Little Rock								
California	288	1,029	178	12	1,507	118	189	
Los Angeles	176	1,466	253	14	1,909	198	194	
Sacramento								
Colorado								
Denver	274	1,980	437	31	2,722	250	612	
Pueblo	112	755	225	9	1,101	106	128	
Florida								
Gainesville	41	640	105	16	802		12	
Idaho								
Blackfoot	167	998	137	6	1,308	205	221	
Coeur d'Alene	20	188	28		236	8	28	
Minnesota								
Cass Lake	29	337	58		424		11	
Montana								
Billings	269	1,841	199	4	2,313	166	247	
Great Falls	354	1,785	312	9	2,460	126	502	
Nebraska								
Alliance	35	370	26	1	432	19	6	
Nevada								
Carson City	56	822	111	3	992	48	89	
New Mexico								
Las Cruces	333	1,578	378	11	2,300	83	423	
Santa Fe	283	1,220	362	15	1,880	133	239	
North Dakota								
Bismarck	50	390	50		490	12	32	

Oregon	25	140	41	4	206	46	59
Lakeview	101	878	58		1,041	4	61
Roseburg	71	706	59	5	841	126	50
The Dalles							
South Dakota							
Pierre	93	690	1,069	5	1,857	32	42
Utah							
Salt Lake City	185	1,248	267	17	1,717	466	264
Washington							
Spokane	40	572	49	3	664	29	48
Wyoming							
Buffalo	246	1,234	198	8	1,686	151	156
Cheyenne	319	1,431	437	19	2,206	204	274
Evanston	142	870	196		1,208	83	126
Total	4,047	25,189	5,850	209	35,295	2,766	4,208

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

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LAND SERVICE BULLETIN DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper trans-
action of public business.

Vol. 12.

September 1, 1928.

No. 7.

OREGON AND CALIFORNIA TAX UNIT.

Report for the month of August and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

Claims received during month (1927)	(1)	\$4,872.83
Total claims received (1927)	(14)	543,369.78
Claims certified during month (1927)	(2)	103,290.99
Net disallowances in above	---	223.41
Total claims certified (1927)	(12)	536,094.76
Net disallowances in above	---	498.26
Claims pending (1927)	(2)	6,776.76
Total claims received (1926) all	(18)	691,183.62
Total claims certified (1926)	(17)	659,649.09
Disallowances in above	---	27,087.95
Claims pending (1926)	(1)	4,446.58
Total claims received (1916-1925) all	(19)	6,741,466.94
Total claims certified (1916-1925) all	(19)	6,311,168.23
Disallowances in above	---	430,298.71

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SURVEY NOTES.

Boundaries of the Shoshone Indian Reservation, Wyoming.--The survey of portions of the south and west boundaries of the Shoshone Indian Reservation, Wyoming, was accepted on August 24, 1928. The difficulty encountered in executing a portion of the survey of this boundary along the Continental Divide is well illustrated by letter from the Supervisor of Surveys dated April 10, 1928, in which he states:

"The purpose of the survey is to fix the limits of the Bridger and Washakie National Forests on the one side and the Shoshone Indian Reservation on the other. The country is well above timber line and is exceptionally rugged and broken. Mr. King, the field engineer in charge, extended the south boundary of the reservation west and the west boundary south to their intersections with the Continental Divide, the physical boundary, establishing thereon monuments properly witnessed. He then attempted to traverse, in accordance with his instructions, the summit of the divide, but owing to the character of the country was unable to proceed more than two courses southeasterly from the west boundary and one course northwesterly from the south boundary. He reports the Continental Divide between the two traverse stations reached thereon as a sawtooth edge, precipitous in the extreme and impassable in a surveying sense. It is realized that there are comparatively few places on earth literally inaccessible. This portion of the Continental Divide is of course not in that class. It can be traversed, but only through the employment of special methods and equipment such as are used in dangerous mountain climbing.

"Mr. King, therefore, after finding it impossible to proceed, even with his experienced mountain party, along the crest of the range, resorted to triangulation between the extremities of his limited traverse lines, justifying his procedure on the theory that the Continental Divide itself, which is particularly outstanding and distinctive in this locality, is unmistakable evidence of the southwest boundary of the reservation and needs no other identification. It is understood that the purpose of the survey is to limit grazing jurisdiction on the national forests and the reservation. The survey of the south and west boundaries as executed accomplishes this and it might well seem that no real purpose would be served by monumenting the seven or more miles of this practically impossible barrier, which for ten months or more is covered with snow."

Map of Minnesota.--As forecast in previous issues of the Bulletin, the new State map of Minnesota has been delivered by the contractor and is now available for distribution. Copies may be obtained by the general public from the Superintendent of Documents, Government Printing Office, Washington, D. C. This map represents a revision of the previous edition of 1905; although no extensive changes in the public land survey system in the State have occurred since the date mentioned, the county boundaries, railroads, names of cities and towns have been carefully revised and brought up to date, so that the map now issued presents modern and reliable information throughout the State.

Surveys Bordering Great Salt Lake, Utah.---Extension surveys in T. 8 N., Rs. 3 and 4 W., and T. 9 N., R. 4 W., S. L. M., Utah, which were authorized December 9, 1926, following a thorough investigation of large areas of unsurveyed lands between the present shore line of Bear River Bay and the limits of the public land surveys in these townships, were completed during the field

season of 1927 and accepted by this office on July 20, 1928. Certain supplemental surveys were executed in T. 8 N., R. 2 W., and were also accepted on July 20, 1928.

The investigation developed the fact that the areas in the first-named townships constitute an exceptionally favorable breeding ground for water fowl. In recognition of this fact Congress under Public No. 304, 70th Congress provided for the establishment of the Bear River Migratory Bird Refuge.

Survey of St. Joseph Mission, New Mexico.--Provision has been made for the survey of a tract containing approximately 10 acres occupied and improved by the St. Joseph Mission on the Mescalero Indian Reservation, New Mexico, reserved for said mission by order of the Secretary of the Interior dated June 25, 1912. In accordance with the requirements of the act approved March 29, 1928, deposit has been made of the amount required to pay the cost of the survey.

Survey of Lands Within Indian Pueblos, New Mexico.--In order to carry out the provisions of section 13 of the act of June 7, 1924 (43 Stat. 636), it has been found necessary to provide for the survey of a number of tracts within the San Felipe, Tesuque, Jemez, Nambe, and Sandia Pueblos, New Mexico, in order to define the boundaries of the lands to which the Indian title has been extinguished, under proceedings had by the Pueblo Lands Board.

The purpose of the act referred to is to provide the means by which may be quieted the title to the lands in the patented Pueblos, portions of which are claimed by those having possession thereof for a number of years adverse to the Indians, in whom the title to the Pueblos as a whole was originally vested many years ago.

Rocky Mountain National Park.--During the month of August, 1928, the dependent resurveys executed in Ts. 5 N., Rs. 72, 73, and 74 W., T. 4 N., R. 73 W., and Ts. 3 N., R. 72 and 73 W., 6th P. M., situated within the Rocky Mountain National Park, Colorado, were accepted. These resurveys have been made at the request of the National Park Service, as the proper administration of the various activities of that Service required a definite knowledge of all park boundaries. All sections containing patented areas were subdivided in the field in order to actually determine and monument the boundary line between said patented areas and and public lands included in the park.

Circular No. 1158.

RELATIVE TO FEES REQUIRED WITH OIL AND GAS PERMIT APPLICATIONS AND OTHER APPLI-
CATIONS AND SELECTIONS. SECTION 31, CIRCULAR NO. 672, CONSTRUED.

CIRCULAR NO. 1115 AMENDED.

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UNITED STATES
 DEPARTMENT OF THE INTERIOR
 General Land Office
 Washington

August 1, 1928.

Registers,

U. S. Land Offices.

Gentlemen:

There appears to be a lack of uniformity in the action of the different land offices in the matter of fees for oil and gas permit applications. Some offices collect \$32 and no more as the maximum amount for lands included in one oil and gas application, while others are collecting \$2 additional for any excess acreage above 2,560 acres.

As a matter of equitable administration permits are issued for areas exceeding 2,560 acres by invoking the rule of approximation, and while section 31 of Circular No. 672 provides that the filing fee on an application for permit shall be "\$2 for each 160 acres or fraction thereof," that provision is held to apply only to cases involving less than 2,560 acres, and as the law fixes the limit of 2,560 acres in any one case for which a permit may be issued, the maximum fee of \$32 only should be charged, in cases where the maximum acreage is exceeded but the rule of approximation is not violated.

Hereafter an application for oil and gas prospecting permit will not effect a segregation of the land applied for if not accompanied by at least the minimum fee of \$10. If less than such amount is tendered you will give the application current serial number and allow the applicant thirty days from notice within which to pay the required amount. Should any application for the same land be received in the meantime accompanied by at least the minimum fee the latter application will be given priority over the other.

The above rule as to segregation will also hereafter be applied to agricultural and other kinds of applications or selections where a minimum fee or minimum payment is specified. The minimum fees or payments necessary to gain segregative effect for such other kinds of applications or selections shall be those which are prescribed by existing regulations in connection with the particular application or selection that may be involved.

Provided, however, That where the laws or regulations so plainly express the full amount of fees or other payments required to be made at the time of filing, that no mistaken interpretation thereof could reasonably be made, the amounts tendered by the conflicting applicants when filing their applications may be an element for consideration in the adjudication of their respective priorities, notwithstanding a tender of the minimum fee has been made by all of them.

The minimum fee, as in the case of all other fees, must be in the form prescribed by paragraph 72, Circular No. 616 (46 L. D., 513), approved August 9, 1918, and as amended by the regulations contained in Circular No. 1008 of May 20, 1925 (51 L. D., 148).

In the matter of oil and gas prospecting permit applications filed upon the effective date of cancellation of an oil and gas prospecting permit, the drawing service fee of \$10 prescribed by Circular No. 1115, approved March 17, 1927, must accompany the application, together with the proper fee required by paragraph 31 (a) Circular No. 672. However, instead of immediately earning the service fee you will carry it in the unearned account until 10 o'clock a. m., and should no other application be filed, thereby obviating the necessity of a drawing, you will return such fee to the applicant by your official check. If more than one application is filed, thus requiring a drawing, the service fee will be earned as instructed by Circular No. 1115. Where only one application is filed the words "neither returnable nor repayable," will be lined out of the notation required by Circular No. 1115 to be made upon such applications.

All existing regulations not in harmony herewith are modified accordingly.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Approved: August 1, 1928.

E. C. FINNEY,

First Assistant Secretary.

CIRCULAR NO. 1159.

Circular showing the remaining vacant public lands as of July 1, 1928, under the above number, is now in the hands of the printer, and a supply will be sent the several district land offices as soon as the printed copies are received.

Circular No. 1160.

AMENDMENT, PARAGRAPH 15 OF CIRCULAR NO. 523 RELATING TO DRIVEWAYS FOR STOCK.

- - - 0 - - -
UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

August 10, 1928.

Registers,

U. S. Land Offices.

Gentlemen:

On August 8, 1928, the Secretary of the Interior amended paragraph 15 of the regulations contained in Circular No. 523 under the stock-raising homestead act of December 29, 1916 (39 Stat. 862), to read as follows:

Driveways for Stock.

15. (a) Upon the receipt in the proper district land office of a duly executed application, in duplicate, for the withdrawals of public lands for a stock driveway by responsible parties in interest, the lands described therein shall be segregated from disposition temporarily, pending field investigation and report and final action thereon by the Secretary of the Interior. The register will assign a current serial number to the application, and at once forward one copy to the division inspector and the other copy to the General Land Office, accompanying each copy with a report as to the status of the affected land as shown by the records of his office.

(b) Pending and during such temporary segregation, applications to enter or select any affected lands may be received and suspended. If the stock driveway be not created as to the lands covered by suspended applications, the same will be allowed, if otherwise regular. If the application to make the stock-driveway withdrawal be approved, all suspended applications will be rejected.

(c) Lands withdrawn for driveways for stock or in connection with water holes can not thereafter be entered or filed upon, and all applications affecting lands so withdrawn will be rejected.

You will give special attention to such applications and immediately furnish the Division Inspector a duplicate copy thereof, and report without delay to this office, with the other copy, the status of each of the tracts involved, and carry out strictly the instructions contained in the amended regulations.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

CIRCULAR NO. 1161.

REGULATIONS GOVERNING THE LEASING OF
PUBLIC LANDS FOR AIRPORTS
AND AVIATION FIELDS.

Department of the Interior,
General Land Office,
Washington, D. C., August 22, 1928.

Registers,

United States Land Offices.

Sirs:

The following regulations are issued under the act of Congress approved May 24, 1928 (Public No. 499), entitled "An act to authorize the leasing of public lands for use as public aviation fields."

1. Any contiguous unreserved and unappropriated public land, surveyed or unsurveyed, not exceeding 640 acres in area, may be leased under the provisions of this act.
2. All leases will be subject to valid existing rights initiated prior to the date the application for lease is filed.
3. Applications for lease should be in triplicate, addressed to the Commissioner of the General Land Office, and filed in the proper district land office. Applications will be limited to citizens of the United States, or associations of such citizens, to corporations organized under the laws of the United States or of any State or Territory thereof, and municipalities. No specific form of application is required, and no blanks will be furnished, but the application should include in substance the following points and be under oath:
 - (a) Applicant's name and post-office address.
 - (b) If a corporation, a certified copy of the articles of incorporation.
 - (c) If a city or town, evidence of authority of the Mayor or other officer who may be authorized to execute such lease.
 - (d) Description of the land for which the lease is desired by legal subdivisions, if surveyed, and by metes and bounds, if unsurveyed.

4. After assignment of a current serial number and due notations on your records, you will forward all papers to the General Land Office. A status report of all the land applied for should be furnished with each application.

5. Upon receipt of the application in the General Land Office, one copy will be referred to the Secretary of Commerce for consideration as to what fuel facilities, lights, and other furnishings are necessary to meet the rating set by that Department. After the Secretary of Commerce has reported, a lease in quadruplicate will be prepared and sent you for execution by the applicant. When executed and returned by you, the lease will be submitted to the Secretary of the Interior, and, if approved, a copy will be sent to the applicant through your office and a copy forwarded to the Department of Commerce.

6. The lessee shall, within six months from the date of the lease, equip the airport as required by the Secretary of Commerce, and file a report thereof in your office for forwarding to the General Land Office.

7. At any time during the term of the lease the Secretary of Commerce may have an inspection made of the airport and if it does not comply with the ratings set by the Department of Commerce that fact, with a statement as to wherein it fails, will be referred to the General Land Office for appropriate action.

8. The Secretary of the Interior may, in his discretion, cancel a lease issued under this act for any of the following reasons: If the lessee fails to use the leased premises or any part thereof, or uses it or any part thereof for a purpose foreign to the proper use, or shall fail to pay the annual rental or any part thereof, or shall fail to maintain the premises according to the ratings set by the Department of Commerce, or shall fail to comply with these regulations or the terms of the lease.

9. Leases under this act shall be for a period not to exceed twenty years and may be renewed for like periods upon agreement of the Secretary of the Interior and the lessee.

10. Every lessee under this act shall pay to the lessor an annual rental of ten dollars per year. The first payment of ten dollars shall be made when the application is filed in your office. All subsequent payments shall be paid in advance on or before the anniversary date of the lease.

11. The lessee shall agree that all departments and agencies of the United States operating aircraft shall have free and unrestricted use of the airport and with the approval of the Secretary of the Interior, any departments or agencies shall have the right to erect and install therein such structures and improvements as are deemed advisable. Whenever the President may deem it necessary for military purposes, the Secretary of War may assume full control of the airports.

12. The lessee will submit to the Secretary of Commerce, for his approval, regulations to govern the use of the airport.

13. The lessor is authorized to cancel any lease for public lands for public aviation fields made under any law in force on the date of this act with the consent of the lessee and to lease such lands to the lessee under the conditions prescribed herein.

14. Government departments and agencies operating aircraft may be granted permission to establish beacon lights and other navigation facilities, except terminal airports, on tracts of unreserved and unappropriated public lands of the United States of appropriate size, on application therefor, under the same rules and regulations prescribed above, except no rental will be charged. They will be withdrawn by the Secretary of the Interior for that purpose on a sufficient showing of the necessity of a withdrawal for such purpose. However, to insure uniformity and centralized control over such facilities, all such applications will be referred to the Secretary of Commerce for consideration and comment.

15. While an application for a lease of not exceeding 640 acres of public lands for a public aviation field under sections 1, 2, and 3 of the act will operate as a segregation of the lands described therein from the time such application is filed in the proper district land office, the Secretary of the Interior is given no authority to withdraw public lands for terminal airports. He may, however, withdraw such lands for beacon lights or other air navigation purposes, including emergency or intermediate landing fields between terminal airports. Such withdrawals may be made on his own motion or at the instance of the Department of Commerce or other Federal agencies, or lessees of terminal airports, or the applicants for such leases.

16. Prior to the approval of the act of May 24, 1928, public lands were subject to withdrawal by the President for public purposes, and the authority of the President to make such withdrawals is in no manner restricted by such act. Where, therefore, unappropriated public lands are desired by the Department of Commerce or other Federal agencies for airport terminals, requests for their withdrawal may be submitted to the Secretary of the Interior, for consideration by the President. All requests for withdrawal should specifically state whether the area is desired for beacon lights, emergency or intermediate landing fields, or terminal airports.

17. All the conditions contained in the prescribed form (4-455) of lease attached hereto, but not mentioned in these regulations, will be considered as a part hereof.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Approved: August 22, 1928.

ROY O. WEST,

Secretary of the Interior.

Approved: August 22, 1928.

WILLIAM P. MacCRACKEN, Jr.

Acting Secretary of Commerce.

4-455
(August, 1928.)

LEASE OF LANDS FOR USE AS A PUBLIC AIRPORT.

Act May 24, 1928, Public No. 499.
(To be executed in quadruplicate.)

Serial No.

This indenture of lease, entered into this _____ day of _____, 19____, by and between the United States of America, party of the first part, hereinafter called the lessor, acting in this behalf by the First Assistant Secretary of the Interior, and

party of the second part, hereinafter called the lessee, under, pursuant, and subject to the terms and conditions of the act of Congress of May 24, 1928 (Public No. 499), entitled "An Act to authorize the leasing of public lands for use as public aviation fields," and the regulations thereunder:

WITNESSETH:

Section 1. That the lessor, in consideration of rents to be paid and the covenants to be observed as herein set forth, does hereby grant and lease to the lessee the exclusive right and privilege of maintaining an airport on the following-described tract of land, to-wit:

containing approximately _____ acres, together with the right to construct and maintain thereon all buildings or other improvements necessary as an airport for the accommodation of the public for a period of _____ years, with the preferential right in the lessee to renew this lease for a like period upon such terms and conditions as may be agreed upon between the lessor and the lessee, unless otherwise provided by law or regulations at the time of the expiration of such period.

Section 2. For and in consideration of the foregoing, the lessee hereby agrees:

(a) To establish a public airport on said tract and to maintain same during the life of this lease.

(b) To pay the lessor a yearly rental of ten dollars.

(c) To complete the construction of facilities for service, fuel, and other supplies necessary to make the land available for public use as an airport within six months from the execution of this lease.

(d) That he will at all times keep the airport equipped and maintained in accordance with the ratings set by the Department of Commerce.

(e) That all departments and agencies of the Government operating aircraft shall have free and unrestricted use of the airport and with the approval of the lessor shall have the right to erect and install thereon such structures and improvements as the heads of such departments and agencies deem advisable including facilities for maintaining supplies of fuel, oil, and other materials, for operating aircraft.

(f) That whenever the President may deem it necessary for military purposes, the Secretary of War may assume full control of the airport.

(g) Not to allow the use of the premises included in this lease for unlawful purposes, or for any purpose not in harmony with the proper use as an airport.

(h) That authorized representatives of the lessor or of the Department of Commerce shall at any time have the right to enter the leased premises for the purpose of inspection and shall have free access to the books, containing records of operations under authority of this lease.

(i) Not to assign this lease without the consent of the Secretary of the Interior first had and obtained.

Section 3. It is further understood and agreed that rates and prices for accommodation and service may be fixed by the Secretary of the Interior whenever it is deemed necessary.

(a) That if the lessee shall fail to use the premises or any part thereof, or shall use it or any part thereof foreign to the proper use, or shall fail to pay the annual rental or any part thereof or shall fail to comply with the provisions of this lease or shall fail to maintain the premises according to the ratings set by the Department of Commerce, the lessor may, in his discretion, terminate and cancel this lease.

(b) That upon the termination of this lease by expiration it may be renewed for a like period upon agreement of the lessor and the lessee, under such rules and regulations as then exist.

(c) That upon the termination of this lease by expiration or forfeiture thereof, or whenever the United States may claim the right of possession as herein provided, the lessee agrees to surrender possession of the premises to the United States and to comply with such provisions and conditions respecting the removal of the improvements and equipment on the property as may be made by the Secretary of the Interior.

In Witness Whereof, I,

party of the second part, have hereto affixed my signature and official seal
this day of

By _____

(SEAL)

In Witness Whereof, and as representative of the United States of
America, party of the first part, I have hereunto affixed my signature and
official seal of this Department this day of

The United States of America

By _____
First Assistant Secretary of the Interior.

(SEAL)

Circular No. 1162.

REQUIRING PROPER DESCRIPTION OF LAND IN OIL AND GAS APPLICATIONS.

----- O -----

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

August 29, 1928.

Registers,

U. S. Land Offices.

Sirs:

In connection with applications for oil and gas permits filed in your offices it has been found that many of the applications describe lands not in conformity with the latest plat of survey, while in others the description is very uncertain. In a few instances the applicant has described certain tracts by lots or otherwise and added "and all other vacant land within" certain sections or parts of sections.

In order to avoid the uncertainty as to the lands desired and to obviate considerable extra correspondence in relation thereto, you are directed to examine each application in connection with the plats of survey and if discrepancies or uncertainties exist you will immediately advise the applicant thereof and allow him 15 days within which to give a proper description of the land and that upon his failure to do so the application will be considered only as to the tracts of land described in conformity with the latest plats of survey, the balance of the application being rejected.

This matter can be attended to during the period of 30 days you hold the application in your office under the regulations and upon submission of such application to this office you will forward a copy of all the correspondence had with evidence of service and advise as to the action taken by the applicant.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Approved: August 29, 1928.

E. C. FINNEY,

First Assistant Secretary.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

--- O ---

Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(16)

IDAHO:

FROM WITHDRAWAL.

One thousand three hundred and eighty acres in scattered tracts in Custer and Blaine Counties, Blackfoot land district, open to entry by ex-service men of the World War under the homestead or desert-land laws for a period of 91 days, beginning September 14. Applications of ex-service men may be presented within the 20 days prior to that date. On and after December 14, 1928, any of the land remaining unentered will be subject to appropriation under any applicable public land law by the general public.

The area has been released from withdrawal made in aid of proposed legislation in 1916 and is generally mountainous grazing land.

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(17)

UTAH:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 1,800 acres in Utah County in T. 7 S., R. 1 W., S. L. M., will be opened to homestead and desert-land entry beginning August 31, 1928, for a period of 91 days to ex-service men of the World War, subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the United States land office at Salt Lake City, Utah, during the twenty days preceding that date or from August 11 to August 30, 1928, inclusive, and all conflicts up to 9 a. m. August 31, 1928, will be decided by drawing. All lands remaining unentered after the expiration of the 91-day period or beginning November 30, 1928, will be opened to entry under any applicable public land law by the general public and prospective applicants may present their applications within twenty days preceding or beginning November 10, 1928, and all applications so filed will be considered as simultaneously filed.

Available information indicates that the township contains nearly every variety of lands from plains to mountains and that the soil ranges from rocky fourth rate to sandy loam second rate. The town of Fairfield on the Los Angeles and Salt Lake Railroad is about 10 miles to the west of the lands.

(18)

NEVADA:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Four hundred and eighty acres in Secs. 15 and 16, T. 11 N., R. 21 E., M. D. M., in Douglas County, Carson City land district, opened to entry by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days, beginning September 7, 1928. Applications of ex-service men may be presented at any time within the 30 days prior to that date. On and after December 7, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been released from stock-driveway withdrawal. Further information, if desired, may be obtained from the United States land office at Carson City, Nevada.

(19)

CALIFORNIA:

OPENED TO ENTRY.

By order of the Interior Department of August 9, 1928, approximately 80,000 acres of land in--

T. 30, 31, 32 N., R. 14 E., M. D. M.

T. 30, 31, 32 N., R. 15 E., M. D. M.

T. 30, 31, 32 N., R. 16 E., M. D. M.,

California, were made subject to entry. The tracts were formerly withdrawn for the use and benefit of the United States Navy for the development of and use as an ammunition depot.

The lands will be opened to entry under the homestead and desert laws, beginning September 17, 1928, for a period of 91 days, to honorably discharged ex-service men of the World War. Applications may be filed in the United States district land office at Sacramento, California, by such ex-service men during the 20 days preceding that date, or from August 28, 1928 to September 16, 1928, inclusive. Any lands remaining unentered after the expiration of the 91-day period, or beginning December 18, 1928, will be subject to entry by the general public. Prospective applicants may present their applications within the 20 day preceding that date, or beginning November 28, 1928, and all applications so filed will be treated as though filed simultaneously. No rights may be acquired by settlement subsequent to July 16, 1928, and prior to December 18, 1928.

The restored lands are described as rolling, with a growth of native grasses, which afford good grazing. There are also some small agricultural tracts.

(20)

NEW MEXICO:

OPENED TO ENTRY.

By order of the Interior Department of August 9, 1928, certain lands in T. 10 N., R. 7 W., N. M. P. M., New Mexico, were made subject to entry. These lands were formerly withdrawn for the benefit of the Laguna and Acoma Pueblos.

The lands will be opened to entry under the homestead and desert laws, beginning September 6, 1928, for a period of 91 days, to honorably discharged ex-service men of the World War. Applications may be filed in the United States district land office at Santa Fe, New Mexico, by such ex-service men during the 20 days preceding that date, or from August 17, 1928 to September 5, 1928, inclusive. Any lands remaining unentered after the expiration of the 91-day period, or beginning December 6, 1928, will be subject to entry by the general public. Prospective applicants may present their applications within the 20 days preceding that date, or beginning November 16, 1928, and all applications so filed will be treated as though filed simultaneously. No rights may be acquired by settlement in advance of entry from August 9, 1928 to December 5, 1928, inclusive.

The restored land contains approximately 10,000 acres. A portion of the land is well adapted to agriculture, and the balance is rough and broken.

(21)

COLORADO:

RECOVERED THROUGH CANCELLATION OF PATENT.

Two hundred and thirty-eight and one hundredth acres in Secs. 4 and 5, T. 34 S., R. 54 W., Sec. 32, T. 33 S., R. 54 W., 8th P. M., in Las Animas County, Pueblo land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning September 4, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after December 4, 1928, the land, if unentered, will be subject to appropriation under any applicable public-land law by the general public.

The land has been recovered by the United States through cancellation of patent. All of the land has been designated under the enlarged homestead act and part under the stock-raising homestead act. Further information, if desired, may be obtained from the United States land office at Pueblo, Colorado.

(22)

WYOMING:

RECOVERED THROUGH CANCELLATION OF PATENT.

Three hundred and twenty acres in Secs. 19 and 20, T. 33 N., R. 68 W., 6th P. M., in Converse County, Cheyenne land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning September 4, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after December 4, 1928, the land, if unentered, will be subject to appropriation under any applicable public-land law by the general public.

The land has been recovered by the United States through cancellation of patent, and has been designated under the enlarged and stock-raising homestead acts. Further information, if desired, may be obtained from the United States land office at Cheyenne, Wyoming.

(23)

OREGON:

RECOVERED THROUGH CANCELLATION OF PATENT.

Six hundred acres in Secs. 9, 10, and 15, T. 6 S., R. 13 E., W. M., in Wasco County, The Dalles land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning September 4, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after December 4, 1928, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through cancellation of patent, and has been designated as subject to entry under the enlarged and stock raising homestead acts. Further information, if desired, may be obtained from the United States land office at The Dalles, Oregon.

(24)

WYOMING:

RECOVERED THROUGH CANCELLATION OF PATENT.

Eight hundred and forty acres in Secs. 15, 21, and 22, T. 44 N., R. 75 W., 6th P. M., in Campbell County, Buffalo land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning September 7, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after December 7, 1928, the land, if unentered, will be subject to appropriation under any applicable public-land law by the general public.

The land has been recovered by the United States through cancellation of patent, and has been designated under the enlarged and stock-raising homestead acts. Further information, if desired, may be obtained from the United States land office at Buffalo, Wyoming.

(25).

ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of the following townships will be officially filed in the district land office at Phoenix, Arizona, on September 17, 1928, at 9 a. m.:

T. 1 N., R. 15 W.
 T. 2 N., R. 14 W.
 T. 2 N., R. 15 W.
 T. 3 N., R. 15 W.
 T. 4 N., R. 15 W.
 T. 5 N., R. 15 W.
 T. 4 N., R. 14 W.
 T. 4 N., R. 16 W.
 T. 6 N., R. 17 W.

all in G. & S. R. B. & M., Yuma County, Arizona.

For 92 days, beginning September 17, 1928, the unreserved lands represented upon said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Phoenix, Arizona, during the twenty-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed on September 17, 1928. On December 18, 1928, the lands remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 1 N., R. 15 W., G. & S. R. B. & M.--Area surveyed: 23,026.96 acres. Land: mountainous and rolling. About one-fourth of the north-east portion of the township is level or gently rolling. Soil: sandy loam, gravelly and rocky, second, third, and fourth rates. Undergrowth: creosote brush, cat's-claw, ocotillo, and cholla cactus. Timber: scattering scrub palo verde, ironwood, mesquite, and cat's-claw. Evidence of mineral is found in the southeast portion of the township in Secs. 35 and 36. There are several small mining cabins in Sec. 36. There is a well which furnishes an abundance of good water in Sec. 7.

T. 2 N., R. 14 W., G. & S. R. B. & M.--Area surveyed: 22,996.89 acres. Land: generally level except Sec. 29, in which Coyote Peak rises about 500 feet above the elevation of the surrounding desert. Soil: sandy loam, adobe and gravelly, first, second and third rates. Timber: sparse growth of scrub mesquite, palo verde, and ironwood of no commercial value is found along the washes. Undergrowth: creosote brush, scrub mesquite, palo verde, ironwood, and cactus. There is a good growth of bunch grass in the overflow land. The drainage is from

the SW $\frac{1}{4}$ to NE $\frac{1}{4}$, spreading out over the northeastern portion of the township without well-defined channels. Most of the township is subject to overflow during periods of heavy rain fall. No indications of mineral were noted. There is an unoccupied house and corrals at Coyote Well in the NE $\frac{1}{4}$ of Sec. 5.

T. 2 N., R. 15 W., G. & S. R. B. & M.--Area surveyed: 22,994.41 acres. Land: about three-fourths of this township is level and gently rolling. There is a range of mountains extending in a southeasterly direction through Secs. 5, 6, 7, 8, 9, 10, and 15, which rises about 1,200 feet above the surrounding desert. Soil: sandy loam, gravelly and stony; first to fourth rate. Timber: none. Undergrowth: creosote brush, scrub palo verde, ironwood, mesquite, and cactus, with some native grasses along the washes. There is no indication of mineral and no wells or other watering places in the township.

T. 3 N., R. 15 W., G. & S. R. B. & M.--Area surveyed: 22,980.98 acres. Land: mountainous in the southwest corner of Secs. 30, 31, and 32, with one small hill each in Secs. 35 and 36. The remainder of the township, with the exception of Secs. 1 and 2, which are subject to overflow from the Bouse Wash is generally level or gently rolling. Soil: adobe, sandy loam and gravelly; first, second, and third rates, except in the mountainous portion of Secs. 30, 31, and 32, which is very rocky. Timber: none. Undergrowth: creosote brush, scrub palo verde, ironwood, mesquite, cat's-claw, various species of cacti, and scattering sagebrush. There is also a scattering growth of native grasses along the washes. The drainage is in a northerly direction from deep washes in the southern part of the township which gradually disappear in the valley in the northern portion. There are no wells or surface water in the township. No indications of mineral were noted.

T. 4 N., R. 15 W., G. & S. R. B. & M.--Area surveyed: 22,792.81 acres. Land: nearly level, except Secs. 9 and 10, which are gently rolling and Secs. 1 and 12, in which there is a malpais hill. The Bouse Wash runs through the township from the southeast corner and leaves the township through Secs. 4 and 5; it has no well-defined channels. Soil: sandy loam and adobe, first rate. Timber: none. Undergrowth: creosote, sagebrush, scrub mesquite, and cactus, with scattering bunch grass on the overflow land. There are two good wells in the township; one in Sec. 36 and one in Sec. 8. No indications of mineral were observed in the township.

T. 5 N., R. 15 W., G. & S. R. B. & M.--Area surveyed: 22,945.78 acres. Land: northeast portion of the township is mountainous and hilly. The south and west portions are level and the remainder is gently rolling. Soil: sandy loam, gravelly and stony; first to third rates. Timber: scattering scrub ironwood, palo verde, and mesquite. Undergrowth: creosote brush, ocotillo, cholla cactus, scrub mesquite, cat's-claw, with some bunch grass on the overflow lands. The Atchison, Topeka & Santa Fe Railroad enters the township on the east boundary of Sec. 25, and leaves on the north boundary of Sec. 5. The State highway parallels the railroad. There are mineral indications in Secs. 1, 12, and 13, and a quartz mill in the latter section. McVey Pumping Station for the railroad is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 5, and there is also a well in Sec. 13.

T. 4 N., R. 14 W., G. & S. R. B. & M.--Area surveyed: 22,836.66 acres. Land: mountainous in northeastern portion; level in southwestern portion. Soil: sandy loam, first rate in level portion, stony and gravelly, third and fourth rates in hills and mountains. Timber: none. Undergrowth: creosote, sagebrush, ocotillo, cholla cactus, scrub mesquite, palo verde, and ironwood. There are indications of mineral in the northeastern portion of the township. There are no wells, springs, or permanent streams in the township.

T. 4 N., R. 16 W., C. & S. R. B. & M.--Area surveyed: 22,715.94 acres. Land: the township is traversed by one mountain range extending northwest and southeast through the southern portion. There are a few hills in the southwestern corner of the township, and in Secs. 7, 8, and 17. The remainder of the township is nearly level. Soil: sandy loam and gravelly; first and third rate in level portions; very stony, fourth rate in hills and mountains. Timber: none. Undergrowth: creosote brush, cholla, ocotillo, sagebrush, scrub palo verde, ironwood, and cat's-claw, with some bunch grass along the washes and in the overflow land. The drainage in the southeastern portion of the township is toward the east, and in the remainder of the township is toward the northeast. The Quartzsite-Vicksburg highway runs northeast and southwest through the township. There is a mine in Secs. 35 and 36, and one in Secs. 15 and 22. There is a well of good water in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 14.

T. 6 N., R. 17 W., G. & S. R. B. & M.--Area surveyed: 22,428.44 acres. Land: generally level and rolling desert. Soil: sandy and gravelly, second and third rate. Timber: practically none. Undergrowth: creosote, sagebrush, scrub palo verde, ironwood, mesquite, and cat's-claw, a fair amount of the heavier varieties of which are valuable for fuel and fencing purposes. The west range of sections is reported as mineralized, but no mines have been developed. There is a well, tank, and windmill in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 13. The State highway from Bouse to Quartzsite runs northerly through the western portion of the township.

(26)

WASHINGTON:

OPENED TO ENTRY.

By orders of the Department dated August 20, 1928, the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 2, W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 11, T. 34 N., R. 36 E., and Lot 2 of Sec. 5, T. 31 N., R. 36 E., within the south half of the former Colville Indian Reservation, Washington, were opened to entry only by ex-service men of the World War under the homestead laws and the act of March 22, 1906 (34 Stat. 80), for a period of 91 days, beginning September 17, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after December 18, 1928, the land, if unentered, will be subject to disposition under any applicable public land law by the general public.

The land was originally classified as timber and was reclassified grazing by approval of the Department on June 28 and July 23, 1928.

Further information, if desired, may be obtained from the United States land office at Spokane, Washington.

(27)

NEW MEXICO:

OPENED TO ENTRY THROUGH SURVEY.

Approximately 15,631 acres of unreserved, unappropriated lands in Chaves County, New Mexico, will be opened to homestead and desert-land entry on September 25, 1928, at 9 a. m. at the United States land office at Las Cruces, New Mexico, through the filing of the plat of resurvey of T. 13 S., R. 22 E., N. M. P. M.

A portion of the township is embraced in a stock-driveway withdrawal and not subject to appropriation under the general public land laws except in the case of valid adverse claims initiated prior to the date when the lands were first withdrawn for stock-driveway purposes.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to September 25, 1928, and applications so filed will be treated as though simultaneously filed at 9 a. m. on the opening date.

On December 26, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be filed at any time during the 20-day period prior to the date when the land is opened to general disposition.

The character of the land is generally rolling with some broken hills in the southwestern portion. The soil is sandy and gravelly in the valleys, gravelly and stony loam on the hills. Scattering bunches of walnut timber are on the land; also undergrowth of cat's-claw, creosote, sotol, cactus, and mesquite. The only water is in wells in Secs. 10 and 20 and in natural water holes in washes following periods of heavy rain. No indications of mineral were found. The principal industry is stock raising.

RECENT PROCLAMATIONS AND EXECUTIVE ORDERS.

By proclamation of July 2 approximately 12.6 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, T. 30 N., R. 11 W., N. M. P. M., New Mexico, have been added to the Aztec Ruins National Monument.

Executive order of June 24, 1924, withdrawing certain lands in Arizona within the limits of the proposed San Carlos Project has been revoked by order of July 12.

By proclamation of July 23 the therein described lands in Idaho have been added to the Craters of the Moon National Monument.

Under order of July 23 a tract of 168.78 acres in California has been released from a withdrawal for classification, and restored.

By order of July 23 the public lands in T. 18 N., R. 12 E., N. M. P. M., New Mexico, have been released from resurvey withdrawal.

By order of July 23 the public lands within the therein described townships in Utah have been withdrawn pending determination by the Department of Agriculture as to their suitability for inclusion in the Bear River Migratory Bird Refuge authorized by the act of April 23, 1928.

Under proclamation of July 30 a portion of the Michigan National Forest, Michigan, has been designated as the Huron National Forest and certain lands added thereto (Public 304).

By order of August 3 a tract of 320 acres in South Dakota has been released from a previous withdrawal in order to permit acceptance of final proof on a homestead entry.

Executive order of April 10, 1925 (No. 4198), establishing the Humphreys National Forest on the Fort Humphreys Military Reservation in Virginia, has been revoked by order of August 11.

By order of August 11 a tract of approximately 1,804 acres in the Canal Zone has been reserved for military purposes.

An order of August 14 releases a small tract in Alaska from withdrawal for townsite purposes under the Alaska Railroad law, and withdraws certain lands under said act for use in connection with railroad or other construction work contemplated by the act.

OIL AND GAS ACTIVITIES.

During the month of August the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 401 new applications and 2,091 cases for reconsideration. Permits were granted on 271 applications, 67 applications were finally rejected in entirety, 97 in part, and 6 as a result of drawings; 256 applications were rejected subject to appeal; 5 appeals were transmitted to the Secretary; departmental decisions were promulgated in 10 cases, 8 affirming and 2 modifying decisions of this office; 36 assignments were disposed of and 432 extensions of time acted upon; 393 permits were held for cancellation and 722 were canceled; 1,017 cases were awaiting Geological Survey reports and 18 awaiting Reclamation Bureau reports; 466 new cases are awaiting Survey reports and 552 cases were examined and reports called for. 3,529 letters were written, of which 229 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 5 leases involving 3 cases, were transmitted to the Secretary for authorization and for execution, 5 leases involving 3 cases were mailed for execution, and 2 leases involving 1 case were delivered to lessee; 1 lease was held for cancellation; 1 lease application was rejected subject to appeal, and 1 lease application was finally rejected; 3 sales contracts were favorably recommended to the Secretary and 1 was approved; 6 assignments were disposed of and 8 applications for extensions of time were acted upon; 9 applications for reduction of royalty on leases were considered of which 4 were favorably recommended to the Secretary, 2 approved, and 3 denied; 5 applications for relief from drilling were acted upon involving 3 cases; Survey reports were requested on 6 applications for reduction of royalty and 2 requests for sales of leases under section 17 of the leasing act in designated oil structures. 106 letters were written, of which 33 were replies to inquiries; 53 cases were received for reconsideration during the month.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of July were \$115,349.10, all from lands outside of naval petroleum reserves.

Consolidated Work Report of Local Land Offices for Month of July, 1928.

Office.	Business of Current Month.			Pending at end of month.		
	Applications, Receipts and proofs, etc., received.	General Land Office letters received.	Contest cases initiated.	Total.	Pending design-nation.	Suspended, rejected, or otherwise.
Alaska						
Anchorage	16	131		173		
Fairbanks	25	48		100		12
Phoenix	242	882	14	1,488	126	143
Arkansas						
Little Rock	67	651	5	768		50
California						
Los Angeles	210	919	13	1,287	132	161
Sacramento	123	1,307	14	2,034	230	180
Colorado						
Denver	212	1,715	6	2,472	325	586
Pueblo	74	735	4	980	117	111
Florida						
Gainesville	26	593	21	710		17
Idaho						
Blackfoot	125	793	11	990	201	192
Coeur d'Alene	23	228		276	9	28
Minnesota						
Cass Lake	33	316	2	376		17
Montana						
Billings	221	1,612	4	2,104	163	218
Great Falls	250	1,722	20	2,361	130	453
Nebraska						
Alliance	27	320	3	371	13	11
Nevada						
Carson City	37	615	5	990	54	97
New Mexico						
Las Cruces	373	1,006	13	2,026	95	402
Santa Fe	322	1,122	13	2,044	148	258
North Dakota						
Bismarck	31	358	1	434	15	26

Consolidated Work Report of Local Land Offices for Month of July, 1928--(Continued.)

Oregon									
Lakeview	21	359	39		419	47	55		
Roseburg	69	814	57	2	942	4	68		
The Dalles	61	820	45	3	929	88	52		
South Dakota									
Pierre	68	701	1,324	3	2,096	34	46		
Utah									
Salt Lake City	218	1,280	712	8	2,218	365	364		
Washington									
Spokane	34	636	41	2	713	20	58		
Wyoming									
Buffalo	221	1,283	210	6	1,720	127	142		
Cheyenne	257	1,458	471	15	2,201	203	261		
Evanston	147	927	662		1,736	76	119		
Total	3,533	23,351	7,886	188	34,958	2,722	4,127		16

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE BULLETIN

DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12.

October 1, 1928

No. 8.

OREGON AND CALIFORNIA TAX UNIT.

Report for the month of September and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

Claims received during month (1927)	(2)	\$29,226.12
Total claims received (1927)	(16)	572,595.90
Claims certified during month (1927)	(1)	4,872.83
Total claims certified (1927)	(13)	540,967.59
Net disallowances in above	---	498.26
Claims pending (1927)	(3)	31,130.05
Total claims received (1926) all	(18)	691,183.62
Total claims certified (1926)	(17)	659,649.09
Disallowances in above	---	27,087.95
Claims pending (1926)	(1)	4,446.58
Total claims received (1916-1925) all	(19)	6,741,466.94
Total claims certified (1916-1925) all	(19)	6,311,168.23
Disallowances in above	---	430,298.71

SURVEY NOTES.

Assistant Commissioner Thomas C. Havell is in the West visiting the public survey offices and other field offices of the General Land Office. As Mr. Havell is a practical surveyor in addition to his many years experience in the technical branch of the work, his inspection of these offices will be of great value in perfecting coordination between this office and the field. He will also take up the problems that have arisen under the Surveying Manual.

Investigation, Yuma Indian Reservation.---Considerable uncertainty has recently developed concerning the status of a large area of land lying in the confluence of the Gila and the Colorado Rivers, where the two river valleys are several miles wide. The tract is river bottom land, some 4,000 acres in extent and is subject to overflow by the flood waters of both rivers. The Commissioner of Indian Affairs has requested to be informed as to whether or not the area is a part of the Yuma Indian Reservation, California, or whether it is unsurveyed public land in Arizona. The uncertainty arises from the fact that the boundary between the State of California and the (then) Territory of Arizona is described in the enabling act of September 9, 1850, as the middle of the Colorado River. It appears that the present channel of the Colorado River is several miles east of its position in 1912. Evidence has been presented showing that a change in the river channel which was an avulsive one, occurred in the year 1920, a condition which, from the alleged character of the change, raises some question as to the present location of the State boundary in this vicinity. A thorough investigation of the physical conditions of the area and of the condition and relationship of the official surveys on both sides of the Colorado River has been authorized with a view to the determination of the true status of the lands in question.

Surveys, Groups 211 to 217, inclusive, Utah.---In order to provide a better basis than now exists for the adjudication of prospecting permits in this area, under the act of February 25, 1920 (41 Stat., 437), this office has authorized the survey of certain exterior boundaries included in Ts. 23 to 43 S., Rs. 1 to 19 E., S. L. M., Groups 211 to 217, inclusive, Utah. These instructions, the last of which were approved September 24, 1928, provide for the extension of certain regular exterior boundaries in the vicinity of the Colorado River, and its tributaries, with the purpose in view of establishing public land survey corners to which ties may be made to locate the probable legal subdivisions to be included in prospecting permits. The work authorized has been planned so that in most cases the ties will be less than 6 miles in length.

Resurveys---Special instructions for the resurvey of T. 15 S., R. 84 W., and T. 8 S., R. 95 W., 6th P. M., Colorado, T. 50 N., Rs. 60 and 61 W., 6th P. M., Wyoming, and for an investigation of T. 1 N., Rs. 26 and 27 W., 5th P. M., Arkansas were approved during September. Special instructions for the extension surveys of omitted lands along the St. Francis and Varney Rivers in T. 18 N., R. 8 E., 5th P. M., Missouri, were also approved. Field work upon all of these groups will be undertaken during the current field season, with the possible exception of T. 8 S., R. 95 W., Colorado.

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Circular No. 1163.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office

Washington, D. C., September 8, 1928.

Register,
U. S. Land Office,
Salt Lake City, Utah.

Sir:

The act of Congress approved April 15, 1920 (41 Stat., 553), entitled "An Act For the relief of occupants and claimants of unsurveyed public land in township eight north of range two west of Salt Lake Meridian, Utah," provides:

"That on the survey of any areas of public land in sections ten, fifteen, twenty-two, and twenty-seven, in township eight north, range two west of the Salt Lake base and meridian, in the State of Utah, which may be found to have been erroneously omitted from the official survey, plat of which is now on file in the General Land Office, the Commissioner of the General Land Office be, and he is hereby, authorized to cause such areas to be surveyed and platted in such a manner as will segregate the several holdings of the bona fide occupants of such areas as shown by their occupation and improvements.

Sec. 2. That under such rules and regulations as the Secretary of the Interior shall prescribe all such bona fide occupants as shall have had adverse possession by themselves or their grantors for seven years prior to the approval of the plat of survey provided for herein shall have a preferred right at any time within six months after the approval of such plat of survey to purchase at the rate of \$2.50 per acre the lands so occupied and improved in such parcels as the same are so held and possessed by each of them, not to exceed in any one case one hundred and sixty acres.

Sec. 3. That in lieu of any portion of such areas which may be found to lie within the limits of a grant to any railroad company and to have been for the period of seven years mentioned in the preceding section in the possession of a bona fide occupant or occupants claiming otherwise than through such company, such railroad company shall be entitled to select other lands in accordance with the terms and restrictions of the act of Congress approved June 22, 1874: Provided, That the land described in one certain patent of the United States dated September 16, 1884, to the Central Pacific

Railroad Company as lot five of the northwest quarter of section fifteen of the township and range aforesaid, containing thirty-three and nineteen one-hundredths acres, shall not form the basis for any such lieu selection; but the survey hereinbefore provided for shall be so made as to identify said tract; and title to said tract is hereby confirmed in said railway company and its grantees."

Attention is invited to that portion of the act in which it is stated:

"All such bona fide occupants as shall have had adverse possession by themselves or their grantors for seven years prior to the approval of the plat of survey provided for herein shall have a preferred right at any time within six months after the approval of such plat of survey to purchase at the rate of \$2.50 per acre the land so occupied and improved."

Said lands are not subject to disposal until the plats of survey thereof shall have been officially filed in the district land office. It is evident that it was the intent of Congress to grant bona fide occupants a period of six months from the date of the filing of the plat of survey within which to assert their preference right to purchase the lands, rather than from the date of the approval of the plat.

The following regulations are for the guidance of your office and the public in regard to the above-quoted act.

Applications to purchase under this act must be sworn to and may be executed before any officer having a seal and authorized to administer oaths in the land district in which the lands are located and must be filed in your office within six months from the filing of the plats of survey. The applicant must show that he is bona fide occupant of the land applied for; must describe the land which he desires to purchase; the kind, character, and value of the improvements on the land covered by the application; when they were placed thereon, the extent of the cultivation if any, and how long continued and that he has had adverse possession by himself or his grantors for seven years prior to the approval of the plat of survey. This application must be supported by affidavits of two persons having personal knowledge of the facts alleged in the application. Upon receipt of such application you will assign a current serial number thereto and promptly forward same to the Commissioner of the General Land Office.

If, upon consideration of the application in the General Land Office, it shall be determined that the applicant is entitled to purchase the lands applied for, you will be authorized to notify the applicant at once, by registered mail, that he must, within 30 days from service of notice, deposit with you the purchase price, or thereafter and without further notice, forfeit all rights under his application.

Upon payment of the purchase price of the land except as to lands covered by the last paragraph of these regulations, you will issue notice of publication. Such notice shall be published at the expense of the applicant in a newspaper of general circulation designated by you in the vicinity of the lands, once a week

for five consecutive weeks immediately prior to the date of sale, but a sufficient time should elapse between the date of last publication and date of sale to enable the affidavit of the publisher to be filed in the district office. The notice will advise all persons claiming adversely to the applicant that they should file any objections or protests against the allowance of the application within the period of publication, otherwise the application may be allowed. Any objections or protests must be under oath, corroborated, and a copy thereof served upon the applicant. You will cause a notice similar to the notice for publication to be posted in the district land office, such notice to remain posted during the entire period of publication. The publisher of the newspaper must file in the district land office prior to the date fixed for the sale, evidence that publication has been had for the required period, which evidence must consist of the affidavit of the publisher, accompanied by a copy of the notice published.

Upon submission of satisfactory proof, you will, if no protest or contest is pending, allow a final entry and issue final certificate, transmitting same to the General Land Office with your regular monthly returns.

Should any application be filed for lands in the odd sections which are within the limits of the grant made to the Central Pacific Railroad Company by persons claiming under the act mentioned, you will forward same to this office without requiring publication but making your recommendations. This office will then consider the application in connection with the right of the Railroad Company to make a selection in lieu of the land applied for by the occupant. Publication will thereafter be required if the application is found to be allowable.

THOS. C. HAVELL,

Acting Commissioner.

Approved: September 8, 1928.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1164.

ADJUSTMENT OF CLAIMS ARISING BY REASON OF CERTAIN INCOMPLETE
OR FAULTY SURVEYS, LAKE COUNTY, FLORIDA.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

"L" JMcP 1296908

September 22, 1928.

Register,

Gainesville, Florida.

Sir:

The act of May 21, 1928 (Public 477--70th Congress), provides for the equitable adjustment of disputes and claims of settlers and others against the United States and between each other as to certain described land as follows:

That the Secretary of the Interior be, and he is hereby, authorized to equitably adjust disputes and claims of settlers, entrymen, selectors, grantees, and patentees of the United States, their heirs or assigns, against the United States and between each other arising from incomplete or faulty surveys in township 19 south, range 26 east, and in sections 7, 8, 17, 18, 19, 30, 31, township 19 south, range 27 east, Tallahassee Meridian, Lake County, in the State of Florida, and to issue directly or in trust as may be found necessary or advisable patent to such settlers, entrymen, selectors, grantees, and patentees, their heirs or assigns, for land claimed through settlement, occupation, purchase or otherwise in said described area, preserving, as far as he may deem equitable, to those claimants now in possession of public land the right to have patented to them the areas so occupied: Provided, That a charge of not less than the appraised value of the land, exclusive of any improvements placed thereon, be made for each acre or fraction thereof of Government land patented under the provisions of this act, except that adjustment may be effected by exchange of lands patented for lands substantially equal in area, in which event payment shall be required of the difference in appraised values where the value of the land owned by the Government exceeds that of the land offered in exchange: Provided further, That rights acquired subsequent to the withdrawal of December 23, 1925, shall not be recognized or be subject to adjustment hereunder.

Sec. 2. That the Secretary of the Interior is authorized to accept any and all conveyances of land and to cause all necessary surveys to be made, to effect the purposes of this act. All adjustments hereunder shall conform to the approved plats of such survey or resurvey, and no other survey will be recognized.

Sec. 3. That in fixing the appraised price of such lands the Secretary of the Interior shall consider and give effect to the good faith and equities of the occupants of any of the areas found to be public land; and, if the whole or any part of such land be within the corporate limits of the town of Tavares, the survey of the lots, blocks, streets, and alleys shall be considered as executed under the provisions of section 2384, Revised Statutes, but as far as practicable shall conform to the existing surveys and plats of the lots in such town: Provided, That the Secretary may, in his discretion, issue a patent to Lake County, Florida, to not exceeding one acre upon which the county courthouse is located, such patent to provide that the land shall revert to the Government of the United States if the county sells any part thereof or devotes it to any use other than as a site for a courthouse and grounds.

Sec. 4. That the provisions of section 2382, Revised Statutes, as modified by sections 2384 and 2385, Revised Statutes, shall extend to all areas surveyed as within and a part of the town of Tavares: Provided, That subject to adverse rights any person entitled to a preference right to purchase under the provisions of this act may secure under this section lands in his actual possession, whether in a single tract or in surveyed lots, of a maximum area of eighty-four thousand square feet, upon payment therefor at a rate not exceeding \$10 for four thousand two hundred square feet, but any applicant may elect to proceed under section 1 of this act: Provided further, That all the provisions hereof applicable to the town of Tavares shall be extended to any other established town within the area affected by this act.

1. The plats of recent surveys will be officially filed in the United States land office at Gainesville, Florida, in the usual manner, but the areas affected will be subject to disposition only in the manner herein indicated. Further directions will be given if any of such lands remain unappropriated after the termination of the period within which preference applications may be presented.

2. The Secretary of the Interior will, at as early a date as practicable, fix the appraised price of all the lands affected by the act and in such appraisal shall consider and give effect to the good faith and equities of the occupants of the areas that have been found to be public lands of the United States.

3. To avoid delay, all applications to purchase should be accompanied with the appraised price of the land, which will be returned in the event the application is finally rejected. Applications will not, however, be refused because of the applicant's failure to make advance payment. Where the appraised price is not tendered with the application, payment under penalty of rejection will be required within thirty days from notice that the application has been approved subject to cash payment.

4. All adjustments, whether through exchange, purchase, entry, or selection must be made in terms of Federal surveys, the plats of which may be found in the United States land office at Gainesville. If absolutely required, additional surveys will be directed but it is believed that the present surveys will be found sufficient. Where public lands are exhibited on the Federal plats of survey as subdivided into lots, blocks, streets and alleys, the official filing of the plats will constitute a dedication to the public of the areas shown as streets and alleys on such plats. The word "streets" as used in the act is a comprehensive term and includes ordinary streets, avenues, boulevards, drive- and roadways, etc., where appearing upon the official plat. The term, however, does not include private ways not shown on the plat, nor railway rights of way even though the location of such way is indicated on the plat. The areas designated "parks" on the plats will in like manner be reserved and devoted to the uses indicated.

5. Lake County, Florida, may upon application of its duly constituted authorities and without payment, receive a patent for not exceeding one acre of land in the city of Tavares upon which its courthouse is situated. Such patent will contain the provision that the land shall revert to the Government of the United States if the county sells any part thereof or devotes it to any use other than as a site for a courthouse and grounds.

6. Individuals or corporations seeking relief under this act must file an application with the register at the Gainesville United States land office, which shall set forth (a) the name and address of the applicant; (b) description and area of the lands claimed in accordance with existing plats of survey, if practicable; (c) the section of the act upon which the application is based, and (d) a comprehensive statement of the facts constituting the grounds for the relief sought. Such application may be presented to the register immediately after the plats of the recent Federal survey are officially filed in the United States land office at Gainesville, and must be tendered within three months after the date of the official filing of such plat.

7. Titles to land not situated within the limits of established towns must be adjusted under section 1 of the act.

8. Lands within the limits of Tavares or any other established town are subject to disposition under section 4 of the act, but any applicant may elect to proceed under section 1. If no such election is presented with an application for lands in an established town, such application will be adjudicated under section 4. All such lots must be paid for at the rate of not to exceed \$10 for 4,200 square feet, with the limitation of 84,000 square feet to any one applicant.

9. It will not be necessary for an equitable owner to prove actual residence on any lot or lots applied for under section 4, but he must show that he was in actual possession of the land and that he was holding it under claim of right or color of title. Applications to purchase under section 4 based on settlement alone must be accompanied by proof of settlement.

10. Where the grounds for relief are based on record evidence of title through purchase or otherwise, there must be filed with the application an abstract of title brought down to a day reasonably near the date of the presentation of such application, showing full equitable title in the applicant, or in lieu of such abstract a certificate of the recorder of deeds that such applicant is the record

owner of the land embraced in his application. Where, however, the form of relief sought is the exchange of privately-owned lands for Government land, affected by the act, an abstract of title must be presented.

11. No deed reconveying lands in private ownership as a basis for exchange of Government lands affected by the act should be placed of record unless and until such proposed exchange has been approved by the Department. In the event of such approval the proponent will be advised thereof and directed to duly execute and properly record a deed reconveying the privately-owned land to the Government of the United States, to extend the abstract of title so as to include the record of such deed, and show that at the time of such record the land was free from adverse claim or any incumbrance whatsoever.

12. All applicants seeking relief under any provision of the act must for the period of thirty days, under direction of the register of the Gainesville United States land office, publish in a newspaper of general circulation notice of his application. No particular form of notice is essential but such notice must include the name and address of the applicant, an intelligible description of the land, a brief statement of the nature of the claim and the date of the first publication. Where the areas affected are in an established town and have been subdivided into lots and blocks and are so exhibited on the Federal plats of survey, the numbers of the lots and blocks and the name of the town will suffice. Lands not subdivided into town lots must be described in terms of our recent surveys if practicable. Where part of the legal subdivision only is sought, that fact should appear in the notice. The register will designate as the medium of publication an established newspaper published nearest the land. Such publication must be made at the expense of the applicant. A copy of such notice will be posted in the usual manner in the United States land office.

13. Any protest against an application, notice of which was published in the manner required by paragraph 12, whether based on a conflicting right or otherwise, must be filed in the United States land office at Gainesville within forty days from and after the first date of publication mentioned in the notice. Any such protest must be accompanied by evidence that a copy thereof was served on the applicant.

14. The register, if proper proofs of newspaper publication be furnished, will as soon as practicable after the period of forty days following the first date of publication, transmit the application to the General Land Office with all papers filed in connection therewith. He will report whether any protest was filed against such application and will recommend what disposition should be made thereof.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: September 22, 1928.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1165.

REGULATIONS FOR THE SALE OF TOWN LOTS IN TABOR, MONTANA.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1314952 "K" MM

September 26, 1928.

Register,

Great Falls, Montana.

Sir:

Under the provisions of the act of June 21, 1906 (34 Stat. 354), you are directed to cause the unreserved and undisposed of lots in the town of Tabor (formerly Charlot) within the former Flathead Indian Reservation, Montana, to be offered for sale at public auction under your supervision at not less than their appraised value on Saturday, October 27, 1928, beginning at 10 o'clock a. m., at Tabor, in the manner and under the terms hereinafter prescribed:

Manner.--Bids may be made either in person or by agent, but not by mail nor at any time or place other than the time and place when the lots are offered for sale hereunder, and any person may purchase any number of lots for which he is the highest bidder. Bidders will not be required to show any qualifications as to age, citizenship, or otherwise. If any successful bidder fails to make the payment required on the date of the sale the lot awarded to him shall be reoffered for sale on the following day.

Terms.--No lot will be sold for less than the appraised value and any lot sold for \$10 or less must be paid for in cash on the day of sale. A minimum of \$10 and at least 25 per centum of the bid price of each lot sold for more than \$10 must be paid on the date of the sale, and the remainder, if the price bid is \$50 or less, within one year from the date of the sale; if the price bid be over \$50 and less than \$100, 75 per centum of the cost may be divided into two equal payments due, respectively, one and two years from the date of the sale; if the price bid be \$100 or more, the 75 per centum remaining unpaid may be divided into three equal payments, due, respectively, one, two, and three years from the date of sale. No entry will be allowed until payment has been made in full for the lot, but in case of partial payment the register will issue a nontransferable memorandum duplicate certificate showing the amount of the bid and the terms of the sale, and reciting the right of the purchaser to make entry upon completing the payments; the Register in such case will issue a memorandum receipt for the money paid. Nothing herein will prevent the transfer of the interests secured by the purchase and the partial payment of the lot, by deed, but the assignee will acquire no greater right than that of the original purchaser and the final entry and patent will issue to the original purchaser when all payments are made.

Forfeiture.--If any person who has made partial payment on the lot purchased by him fails to make any succeeding payment required under these regulations at the date such payment becomes due, the money deposited by such person for such lot will be forfeited and the lot, after forfeiture is declared, will be subject to disposition. Lots remaining unsold at the close of sale or thereafter declared forfeited for nonpayment of any part of the purchase price under the terms of the sale will be subject to private entry for cash at their appraised value.

The Division Inspector has recommended that provision be made for the purchase of blocks 30 to 35, inclusive, at the appraised value, in case the town should incorporate or form a legal association qualified to make such purchase. Said blocks have, therefore, been withheld from the sale in order that the town may purchase them if it so desired and becomes qualified to make the purchase.

All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously or which will in any way hinder or embarrass the sale, and all persons so offending will be prosecuted under section 59 of the Criminal Code of the United States.

The newspapers in the vicinity of Tabor should be given copies of the notice of the sale as an item of news and such other publicity should be given thereto as can be done without expense.

You are authorized to cause any lot to be reappraised which in your judgment is not appraised at the proper amount and you may reject any and all bids for any lot and at any time suspend, adjourn, or postpone the sale of any lot or lots to such time and place as you may deem proper. A schedule of lots showing the appraised price is attached.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: September 26, 1928.

E. C. FINNEY,

First Assistant Secretary.

APPRAISAL OF LOTS TO BE OFFERED AT PUBLIC SALE IN THE TOWNSITE
OF TABOR, MONTANA, OCTOBER 27, 1928.

Lot Nos.	1	2	3	4	5	6	7	8	9	10	11	12
Block	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
1	6	10	10	10	10	10						
2	8	12	12	12	12	6	12	6	6	6	6	
5		12		12								
7	12	12	12	6	6		5	5	5	5	5	6
8	10	10	10	10	5	5						
9	12	12	12	12	12							
10	15	15					5	5	5	15	15	15
11	12						12					
16	10	25	25									
22	25									20		
23									15	15		
24				15			5		5	15	15	15
25							12	12	12	12	12	12
26							10	10	10	10	10	10
27					15	15	12	10	12	12	12	12
28	35							20				
30	10	10	10	10								
31	10	10	10	10	10	10	10	10	10	10	10	10
32	10	10	10	10	10	10	10	10	10	10	10	10
33	10	10	10	10	10	10	10	10	10	10	10	10
34	10	10	10	10	10	10	10	10	10	10	10	10
35	10	10	10	10	10	10	10	10	10	10	10	10
37									15	15	15	15
38	12	12	12				12	12	12	12	12	12
39				10	10	10	10	10	10	10	10	10

Circular No. 1166.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1308889 "K" ME

September 26, 1928.

REGULATIONS FOR THE SALE OF TOWN LOTS IN TOWNS WITHIN THE HUNTLEY PROJECT
IRRIGATION DISTRICT, MONTANA.

Register,

Billings, Montana.

Sir:

Under and pursuant to the acts of April 16, 1906, and June 27, 1906 (34 Stat. 116, 519), and the general regulations issued under section 2381, Revised Statutes, Circular No. 1122, the unsold lots in the townsites of Huntley, Worden, Osborn, Ballantine, Anita, and Pompeys Pillar, within the Huntley Project Irrigation District, Montana, included in the attached list, will be offered for sale at public auction at not less than their appraised value at 10 a. m., October 8, 1928, in your office.

You are hereby detailed as auctioneer and superintendent of the sale of said lots. This detail is in connection with your duties as Register of the district land office, and you will receive no additional compensation for conducting the sale.

Full payment for the lots may be made in cash, at the time of the sale or one-fifth in cash and the balance in four equal annual installments with interest at six per cent per annum on the deferred payments.

At the conclusion of the offering, you will close the sale.

All lots sold subsequent to said public sale shall be sold in your office at the appraised value for cash at the time of the sale, or two-fifths in cash, and the balance in three equal annual installments with interest at six per cent on the deferred payments.

I am transmitting herewith copies of the appraisal list of the lots to be offered for sale, a copy of a report, and the recommendation of the District Counsel, Bureau of Reclamation, dated September 8, 1928, a copy

of the letter of approval of the appraisal dated September 21, 1928, and a copy of instructions of August 28, 1928, recommending the appraisal and sale of said lots. Plats of said townsites are also inclosed.

Mimeograph copies hereof will be furnished you when available.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: September 26, 1928.

E. C. FINNEY,

First Assistant Secretary.

APPRAISAL OF LOTS WITHIN TOWNSITES IN THE
HUNTLEY PROJECT IRRIGATION DISTRICT, MONTANA.

HUNTLEY

Block 5.

Lot 8 - - - \$20.00
 " 9 - - - 20.00
 " 10 - - - 5.00
 " 11 - - - 5.00
 " 12 - - - 5.00
 " 13 - - - 5.00
 " 14 - - - 10.00

Lot 15 - - - \$20.00
 " 16 - - - 20.00
 " 17 - - - 20.00
 " 18 - - - 20.00
 " 19 - - - 20.00
 " 20 - - - 20.00
 " 21 - - - 20.00

Block 8.

Lot 6 - - - \$15.00
 " 7 - - - 15.00
 " 8 - - - 12.00

Lot 9 - - - \$10.00
 " 10 - - - 5.00

Block 9.

Lot 1 - - - \$10.00
 " 2 - - - 10.00
 " 3 - - - 10.00
 " 4 - - - 10.00
 " 5 - - - 10.00
 " 6 - - - 10.00
 " 9 - - - 10.00
 " 10 - - - 10.00
 " 11 - - - 10.00
 " 12 - - - 10.00
 " 13 - - - 10.00
 " 14 - - - 10.00
 " 15 - - - 10.00
 " 16 - - - 10.00
 " 17 - - - 10.00
 " 18 - - - 10.00

Lot 19 - - - \$10.00
 " 20 - - - 10.00
 " 21 - - - 10.00
 " 22 - - - 10.00
 " 23 - - - 10.00
 " 30 - - - 10.00
 " 31 - - - 10.00
 " 32 - - - 10.00
 " 33 - - - 10.00
 " 34 - - - 10.00
 " 35 - - - 10.00
 " 40 - - - 10.00
 " 41 - - - 10.00
 " 42 - - - 10.00
 " 47 - - - 10.00
 " 48 - - - 10.00

Block 10.

Lot 1 - - - \$15.00
 " 5 - - - 15.00
 " 6 - - - 15.00
 " 7 - - - 15.00
 " 8 - - - 15.00

Lot 9 - - - \$15.00
 " 10 - - - 15.00
 " 11 - - - 15.00
 " 12 - - - 15.00

Block 11.N $\frac{1}{2}$ - - - \$100.00S $\frac{1}{2}$ - - - \$100.00Block 12.N $\frac{1}{2}$ - - - \$50.00Block 13.

North part 25.00

S. part - \$50.00

Block 20.

Lot 11 - - \$15.00

" 12 - - 15.00

" 13 - - 15.00

Lot 15 - - \$15.00

" 16 - - 15.00

Block 22.

Lot 9 - - \$10.00

" 10 - - 10.00

" 11 - - 10.00

" 12 - - 10.00

Lot 13 - - \$10.00

" 14 - - 10.00

" 15 - - 10.00

" 16 - - 10.00

Block 24.E $\frac{1}{2}$ - - - \$75.00W $\frac{1}{2}$ - - - \$75.00Block 26.E $\frac{1}{2}$ - - - \$75.00W $\frac{1}{2}$ - - - 75.00Block 28.E $\frac{1}{2}$ - - - \$75.00W $\frac{1}{2}$ - - - 75.00Block 51.

All - - - \$36.00

Block 52.

All - - - \$36.00

Block 53.

Lot 1 - - - \$3.00
 " 2 - - - 3.00
 " 3 - - - 3.00
 " 4 - - - 3.00
 " 5 - - - 3.00

Lot 6 - - - \$3.00
 " 7 - - - 3.00
 " 9 - - - 3.00
 " 10 - - - 3.00

Block 54.

Lot 1 - - - \$3.00
 " 2 - - - 3.00
 " 3 - - - 3.00
 " 5 - - - 3.00

Lot 6 - - - \$3.00
 " 10 - - - 3.00
 " 11 - - - 3.00
 " 12 - - - 3.00

Block 59.

$E\frac{1}{2}$ - - - - \$12.00

$W\frac{1}{2}$ - - - - \$12.00

Block 60.

All - - - - \$6.00

Block 61.

$E\frac{1}{2}$ - - - - \$30.00

$W\frac{1}{2}$ - - - - \$20.00

Block 55.

Lot 1 - - - \$3.00
 " 2 - - - 3.00
 " 3 - - - 3.00
 " 4 - - - 3.00

Lot 5 - - - \$3.00
 " 6 - - - 3.00
 " 7 - - - 3.00
 " 8 - - - 3.00
 " 9 - - - 6.00

Block 58.

West part - \$30.00

$E\frac{1}{2}$ - - - - \$30.00

Block 62.

$W\frac{1}{2}$ - - - - \$30.00

$E\frac{1}{2}$ - - - - \$30.00

Block 50.

$E\frac{1}{2}$ - - - - \$12.00

$W\frac{1}{2}$ - - - - \$12.00

Block 52.

All - - - - \$6.00

Block 51.

$E\frac{1}{2}$ - - - - \$30.00

$W\frac{1}{2}$ - - - - \$30.00

Block 53.

Block 63.E $\frac{1}{2}$ - - - - - \$30.00W $\frac{1}{2}$ - - - - - \$30.00Block 67.E $\frac{1}{2}$ - - - - - \$30.00W $\frac{1}{2}$ - - - - - \$30.00Block 68.

E. part - - \$10.00

W. part - \$10.00

Block 69.

Lot 1 - - - \$2.00

Lot 2 - - \$2.00

" 3 - - - 2.00

Block 70.

Lot 1 - - - \$2.00

Lot 11 - - \$2.00

" 6 - - - 2.00

" 12 - - 2.00

" 8 - - - 2.00

" 13 - - 2.00

" 9 - - - 2.00

" 14 - - 2.00

" 10 - - - 2.00

" 2 - - 3.00

" 4 - - - 3.00

" 3 - - 3.00

" 5 - - 3.00

Block 71.W $\frac{1}{2}$ - - - - - \$30.00E $\frac{1}{2}$ - - - - - \$30.00Block 72.W $\frac{1}{2}$ - - - - - \$30.00E $\frac{1}{2}$ - - - - - \$30.00Block 79.

Lot 1 - - - \$3.00

Lot 7 - - \$5.00

" 2 - - - 3.00

" 8 - - 3.00

" 3 - - - 3.00

" 9 - - 3.00

" 4 - - - 3.00

" 10 - - 3.00

" 5 - - - 3.00

" 11 - - 3.00

" 6 - - - 3.00

Block 80

Lot 1 - - - \$3.00
 " 2 - - - 3.00
 " 3 - - - 3.00
 " 4 - - - 3.00
 " 5 - - - 2.00
 " 6 - - - 4.00

Lot 7 - - - \$3.00
 " 8 - - - 3.00
 " 9 - - - 3.00
 " 10 - - - 3.00
 " 11 - - - 3.00

Block 81

Lot 1 - - - \$3.00
 " 2 - - - 3.00
 " 3 - - - 3.00
 " 4 - - - 3.00
 " 5 - - - 3.00
 " 6 - - - 3.00
 " 7 - - - 3.00
 " 10 - - - 3.00

Lot 11 - - - \$3.00
 " 12 - - - 3.00
 " 13 - - - 3.00
 " 14 - - - 3.00
 " 15 - - - 3.00
 " 16 - - - 3.00
 " 17 - - - 3.00

Block 82

Lot 1 - - - \$3.00
 " 2 - - - 3.00
 " 3 - - - 3.00
 " 4 - - - 3.00
 " 5 - - - 3.00
 " 6 - - - 3.00
 " 7 - - - 3.00
 " 8 - - - 3.00
 " 11 - - - 3.00

Lot 12 - - - \$3.00
 " 13 - - - 3.00
 " 14 - - - 3.00
 " 15 - - - 3.00
 " 16 - - - 3.00
 " 17 - - - 3.00
 " 18 - - - 3.00
 " 19 - - - 3.00

WORDENBlock 19.

Lot 1 - - - \$50.00
 " 2 - - - 45.00
 " 3 - - - 45.00
 " 4 - - - 45.00
 " 5 - - - 45.00
 " 6 - - - 45.00

Lot 7 - - - \$45.00
 " 8 - - - 45.00
 " 9 - - - 45.00
 " 10 - - - 45.00
 " 11 - - - 45.00
 " 12 - - - 50.00

Block 20.

Lot 1 - - - \$10.00
 " 2 - - - 10.00
 " 3 - - - 10.00
 " 4 - - - 10.00
 " 5 - - - 10.00
 " 6 - - - 10.00
 " 7 - - - 10.00
 " 8 - - - 10.00

Lot 9 - - - \$10.00
 " 10 - - - 10.00
 " 11 - - - 10.00
 " 12 - - - 10.00
 " 13 - - - 10.00
 " 14 - - - 10.00
 " 15 - - - 10.00
 " 16 - - - 10.00

Block 27.

Lot 1 - - - \$10.00
 " 2 - - - 10.00
 " 3 - - - 10.00
 " 4 - - - 10.00
 " 5 - - - 10.00
 " 6 - - - 10.00
 " 7 - - - 10.00

Lot 8 - - - \$10.00
 " 9 - - - 10.00
 " 10 - - - 10.00
 " 11 - - - 10.00
 " 12 - - - 10.00
 " 13 - - - 10.00
 " 14 - - - 10.00
 " 15 - - - 10.00
 " 16 - - - 10.00

Block 29.

Lot 4 - - - \$50.00

Lot 5 - - - \$50.00

Block 30.

Lot 1 - - - \$10.00
 " 2 - - - 10.00
 " 3 - - - 10.00
 " 4 - - - 10.00
 " 5 - - - 5.00
 " 6 - - - 12.00

Lot 7 - - - \$10.00
 " 8 - - - 10.00
 " 9 - - - 10.00
 " 10 - - - 10.00
 " 11 - - - 10.00

Block 39

Lot 13 - - - \$60.00
 " 14 - - - 60.00
 " 15 - - - 60.00
 " 16 - - - 60.00
 " 17 - - - 60.00
 " 18 - - - 60.00

Lot 19 - - - \$60.00
 " 20 - - - 60.00
 " 21 - - - 60.00
 " 22 - - - 60.00
 " 23 - - - 60.00
 " 24 - - - 60.00

Block 47

Lot 1 - - - \$50.00
 " 2 - - - 50.00
 " 3 - - - 50.00

Lot 4 - - - \$50.00
 " 14 - - - 75.00
 " 15 - - - 75.00

Block 48

Lot 1 - - - \$50.00
 " 2 - - - 50.00
 " 3 - - - 50.00

OSBORN

Blocks 1-2-3, all \$54 each

Block 8 all \$55.

Block 4, " \$30

Block 9 " \$66

Block 5, " \$40

Block 10 " \$60

Block 6, " \$55

Block 11 " \$25

Block 7, " \$55

Block 15 " \$76

Block 16

Lot 1 - - - \$3.00
 " 2 - - - 3.00
 " 3 - - - 3.00
 " 4 - - - 3.00
 " 5 - - - 3.00
 " 6 - - - 5.00
 " 7 - - - 5.00

Lot 8 - - - \$6.00
 " 9 - - - 3.00
 " 10 - - - 3.00
 " 11 - - - 3.00
 " 12 - - - 3.00
 " 13 - - - 3.00

Block 17

Lot 1 - - - \$5.00
 " 2 - - - 6.00
 " 3 - - - 3.00

Lot 4 - - - \$3.00
 " 5 - - - 4.00
 " 6 - - - 5.00

Block 18

Lot 1 - - - \$3.00
 " 2 - - - 3.00
 " 3 - - - 3.00
 " 4 - - - 3.00
 " 5 - - - 3.00
 " 6 - - - 3.00

Lot 7 - - - \$3.00
 " 8 - - - 3.00
 " 9 - - - 3.00
 " 10 - - - 3.00
 " 11 - - - 3.00

Block 18

Lot 12 - - - \$3.00
 " 13 - - - 3.00
 " 14 - - - 3.00

Lot 15 - - - \$3.00
 " 16 - - - 3.00

Block 19

Lot 1 - - - \$3.00
 " 2 - - - 3.00
 " 3 - - - 3.00
 " 4 - - - 3.00
 " 5 - - - 3.00
 " 6 - - - 3.00
 " 7 - - - 3.00
 " 8 - - - 3.00

Lot 9 - - - \$3.00
 " 10 - - - 3.00
 " 11 - - - 3.00
 " 12 - - - 3.00
 " 13 - - - 3.00
 " 14 - - - 3.00
 " 15 - - - 3.00
 " 16 - - - 3.00

Block 20

All - - - - \$55.00

Block 23

All - - - - \$55.00

Block 25

$E\frac{1}{2}$ - - - - \$26.00

$W\frac{1}{2}$ - - - - \$26.00

Block 26

$E\frac{1}{2}$ - - - - \$26.00

$W\frac{1}{2}$ - - - - \$26.00

Block 27

$N\frac{1}{2}$ - - - - \$26.00

$W\frac{1}{2}$ - - - - \$26.00

Block 34

Lot 1 - - - \$3.00
 " 2 - - - 3.00

Lot 3 - - - \$3.00
 " 4 - - - 3.00

Block 28

All - - - - \$40.00

Block 32N $\frac{1}{2}$ - - - - \$25.00S $\frac{1}{2}$ - - - - \$25.00Block 24E $\frac{1}{2}$ - - - - \$25.00W $\frac{1}{2}$ - - - - \$25.00Block 33E $\frac{1}{2}$ - - - - \$25.00W $\frac{1}{2}$ - - - - \$25.00Block 34

Lot 5 - - - \$8.00

" 6 - - - 8.00

" 7 - - - 8.00

" 8 - - - 8.00

" 9 - - - 8.00

" 10 - - - 8.00

Lot 11 - - - \$8.00

" 12 - - - 8.00

" 13 - - - 8.00

" 14 - - - 8.00

" 15 - - - 8.00

" 16 - - - 5.00

Block 35

Lot 1 - - - \$6.00

" 2 - - - 8.00

" 3 - - - 8.00

" 4 - - - 8.00

Lot 5 - - - \$8.00

" 6 - - - 8.00

" 7 - - - 8.00

" 8 - - - 6.00

Block 39

Lot 1 - - - \$6.00

" 2 - - - 6.00

" 3 - - - 7.00

" 4 - - - 8.00

Lot 5 - - - \$6.00

" 6 - - - 6.00

" 7 - - - 6.00

" 8 - - - 8.00

Block 40

Lot 2 - - - \$8.00

" 3 - - - 8.00

" 4 - - - 8.00

" 5 - - - 8.00

" 6 - - - 8.00

" 7 - - - 8.00

" 9 - - - 8.00

Lot 10 - - - \$8.00

" 11 - - - 8.00

" 12 - - - 8.00

" 13 - - - 8.00

" 14 - - - 8.00

" 15 - - - 8.00

" 16 - - - 8.00

Block 41.

Lot 1 - - - \$8.00
 " 8 - - - 8.00
 " 9 - - - 8.00
 " 10 - - - 8.00
 " 11 - - - 8.00

Lot 12 - - - \$8.00
 " 13 - - - 8.00
 " 14 - - - 8.00
 " 15 - - - 8.00
 " 16 - - - 8.00

Block 42

$N\frac{1}{2}$ - - - - \$64.00

$S\frac{1}{2}$ - - - - \$64.00

Block 43.

$N\frac{1}{2}$ - - - - \$64.00

$S\frac{1}{2}$ - - - - \$64.00

Block 44

$N\frac{1}{2}$ - - - - \$64.00

$S\frac{1}{2}$ - - - - \$64.00

Block 46

All - - - -\$138.00

Block 47.

All - - - -\$138.00

Block 56

Lot 8 - - - \$50.00
 " 9 - - - 50.00
 " 10 - - - 50.00
 " 11 - - - 50.00

Lot 12 - - - \$50.00
 " 13 - - - 100.00
 " 14 - - - 130.00

Block 51

All - - - - \$35.00

Block 52

All - - - - \$54.00

Block 48

All - - - - \$50.00

Block 49

All - - - - \$12.00

Block 57

Lot 1 - - - \$94.00
 " 2 - - - 50.00

Lot 3 - - - \$50.00
 " 4 - - - 50.00

BALLANTINEBlock 2

Lot 11 - - - \$50.00

Block 8

Lot 13 - - - \$75.00

Lot 14 - - - \$75.00

Block 11

Lot 4 - - - \$75.00

ANITABlock 1

All - - - - \$41.00

Block 2

N $\frac{1}{4}$ - - - - \$19.00

S $\frac{1}{2}$ - - - - \$19.00

Block 3

Lot 1 - - - \$2.50

" 2 - - - 2.50

" 3 - - - 2.50

" 4 - - - 2.50

" 5 - - - 2.50

" 6 - - - 2.50

" 7 - - - 2.50

" 8 - - - 2.50

Lot 9 - - - \$2.50

" 10 - - - 2.50

" 11 - - - 2.50

" 12 - - - 2.50

" 13 - - - 2.50

" 14 - - - 2.50

" 15 - - - 2.50

" 16 - - - 2.50

Block 5

Lot 1 - - - \$5.00
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 " 4 - - - 2.50
 " 5 - - - 2.50
 " 6 - - - 2.50

Lot 7 - - - \$2.50
 " 8 - - - 2.50
 " 9 - - - 2.50
 " 10 - - - 2.50
 " 11 - - - 2.00

Block 15

Lot 1 - - - \$2.50
 " 2 - - - 2.50
 " 3 - - - 2.50
 " 4 - - - 2.50
 " 5 - - - 3.50
 " 6 - - - 4.00

Lot 7 - - - \$2.50
 " 8 - - - 2.50
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 " 11 - - - 2.50
 " 12 - - - 2.50

Block 16

Lot 1 - - - \$2.50
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 " 4 - - - 2.50
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Lot 9 - - - \$2.50
 " 10 - - - 2.50
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 " 12 - - - 2.50
 " 13 - - - 2.50
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 " 15 - - - 2.50
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Block 17

$N\frac{1}{2}$ - - - - \$20.00

$S\frac{1}{2}$ - - - - \$20.00

Block 18

All - - - - \$20.00

Block 19

All - - - - \$41.00

Block 21

Lot 1 - - - \$2.50
 " 2 - - - 2.50

Block 21

Lot 3 - - - \$2.50
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Lot 12 - - - \$2.50
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 " 16 - - - 2.50

Block 22

Lot 1 - - - \$2.50
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Lot 9 - - - \$2.50
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Block 23

Lot 1 - - - \$5.00
 " 2 - - - 2.50
 " 3 - - - 3.50

Lot 4 - - - \$2.50
 " 5 - - - 2.50

Block 4

All - - - - \$5.00

Block 20

$N\frac{1}{2}$ - - - - \$21.00

$S\frac{1}{2}$ - - - - \$21.00

Block 14

All - - - \$3.00

Block 13

All - - - \$8.00

POMPEYS PILLARBlock 1

Lot 1 - - - \$25.00

Lot 5 - - - \$25.00

Block 2

Lot 1 - - - \$15.00

Lot 2 - - - \$15.00

Block 3

Lot 1 - - - \$40.00

" 4 - - - 15.00

" 5 - - - 15.00

Lot 2 - - - \$50.00

" 6 - - - 15.00

Block 4

Lot 4 - - - \$10.00

" 5 - - - 15.00

" 6 - - - 25.00

Block 5

Lot 1 - - - \$10.00

" 4 - - - 10.00

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Block 6

Lot 1 - - - \$10.00

" 4 - - - 10.00

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Block 7

Lot 1 - - - \$20.00

" 2 - - - 20.00

Block 9

Lot 3 - - - \$10.00

Block 11

Lot 1 - - - \$10.00
 " 2 - - - 10.00
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 " 10 - - - 15.00
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Lot 12 - - - \$10.00
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Block 12

Lot 4 - - - \$50.00
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Lot 14 - - - \$25.00
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Block 13

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Lot 3 - - - \$15.00
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Lot 18 - - - \$10.00

Block 16

Lot 1 - - - \$5.00
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Lot 16 - - - \$5.00

Block 18

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Lot 8 - - - \$20.00

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Lot 1 - - - \$10.00
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Lot 14 - - - \$10.00

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Lot 13 - - - \$15.00

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Block 21

Lot 16 - - - \$10.00

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Block 24

Lot 1 - - - \$15.00

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Circular No. 1167.

CHANGING DESIGNATION OF FIELD OFFICERS.

--- Q. ---

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

"A" HCG

September 28, 1928.

To All Field Officers:

By departmental order of September 25th, the following changes in designations were made, effective October 1, 1928:

<u>Old designation</u>	<u>New designation</u>
Inspection Service	Field Service, G. L. O.
Chief Inspector	Chief of Field Service
Division Inspector	Chief of Field Division
Inspector (formerly Special Agent)	Examiner
Inspector (formerly Mineral Examiner)	Mining Engineer (Authorized by Department Aug. 30, 1928. Will be consummated later through Civil Service Commission)
Carey Act Inspector	Irrigation Engineer
Timber Cruiser	Timber Cruiser
Hearings Officer	District Law Officer

All communications to the Chief of Field Service and to the Chiefs of Field Division will be addressed as follows:

Capt. George E. Hair,
Chief of Field Service, G. L. O.,
Washington, D. C.

-----,
Chief of Field Division, G. L. O.,
-----.

WILLIAM SPRY,

Commissioner.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 35 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(28)

NEW MEXICO:

OPENED TO ENTRY THROUGH SURVEY.

Approximately 2,900 acres of unappropriated public lands in Roosevelt County, New Mexico, will be opened to homestead and desert-land entry on October 1, 1928, at the United States land office, Santa Fe, New Mexico, through the filing of the plats of survey and resurvey in Ts. 2 S., R. 37 E., and 3 S., R. 37 E., N. M. P. M.

The lands in both townships are included in a potash reserve and will be subject to entry only with a reservation of potash in accordance with the requirements of the act of July 17, 1914 (38 Stat., 509).

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 92 days from the opening date within which to exercise their preference right to the unappropriated lands. These persons may present their applications at any time during the 20-day period prior to October 1, and applications so presented will be treated as though simultaneously filed at 9 a. m. on the opening date.

On January 2, 1929, the land remaining unappropriated will be available for entry under any applicable public land law by the public generally. Applications by the general public may be filed during the 20-day period prior to the date when the land is opened to general disposition and will be treated as though filed simultaneously at 9 a. m. on January 2, 1929.

The land consists of a large wet bog covered with about 2 feet of water for the greater portion of each year. A thin white coating of alkali covers the surface of the bog. Beneath the surface is an unknown depth of black soil said to be rich in potash. The area surveyed is entirely devoid of vegetation.

(29)

NEVADA:

OPENED TO ENTRY THROUGH SURVEY.

Approximately 23,600 acres of unreserved, unappropriated lands in Lander County, Nevada, will be opened to homestead and desert-land entry on October 9, 1928, at 9 a. m. at the United States land office, Carson City, Nevada, through the filing of the plat of survey of T. 25 N., R. 46 E., M. D. M.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These persons may also present their applications during the 20-day period prior to October 9, 1928, and applications thus presented will be treated as though simultaneously filed at 9 a. m. on the opening day.

On January 8, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. These persons may present their applications during the 20-day period prior to January 8, 1929, and applications thus received will be treated as though simultaneously filed on the date of opening to the general public.

The character of the land is rolling and mountainous with gravelly soil. The timber upon the land consists of juniper and pinon pine valuable only as fuel and for fence posts. The township is suitable for grazing purposes and sufficient water is supplied by springs to water all the stock that the land is capable of supporting as a grazing area. No mineral indications were noted and there were no settlers in the township at the time of survey.

(30)

UTAH:

RECOVERED THROUGH RECONVEYANCE.

Six hundred and twenty-seven and sixty-eight one hundredths acres in Sec. 18, T. 8 N., R. 1 E., S. L. M., in Box Elder County, Salt Lake City land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning October 25, 1928. Applications may be presented at the United States district land office at Salt Lake City by such ex-service men during the 20 days prior to that date. On and after January 24, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through reconveyance, and has been designated under the enlarged and stock-raising homestead acts. Further information, if desired, may be obtained from the United States land office at Salt Lake City, Utah.

M E M O R A N D U M.

The plat of survey of Lots 6, 7, and 8, Sec. 30, T. 1 S., R. 4 W., S. B. M., San Bernardino County, California, will be officially filed in the United States land office at Los Angeles, California, at 9 a. m. on October 4, 1928. Owing to the small area involved, 2.27 acres, no notice has been prepared for distribution in Washington.

RECENT PROCLAMATIONS AND EXECUTIVE ORDERS.

Under a proclamation of August 3, the boundaries of the Monongahela National Forest, in Virginia and West Virginia have been changed by the addition of certain lands and the exclusion of certain lands in West Virginia.

By order of August 17, a tract of 95 acres near the Caribou National Forest in Idaho has been withdrawn for use by the Forest Service as a ranger station.

By order of August 20, a tract of 73 acres near the Shoshone National Forest, Wyoming, has been withdrawn for use by the Forest Service as a ranger station.

Under order of August 30, certain lands in Alaska containing an Indian settlement have been excluded from the Tongass National Forest and reserved for townsite purposes.

By order of September 3, the public lands in T. 49 N., R. 11 E., N. M. P. M., Colorado, have been withdrawn pending resurvey of said township.

By order of September 12, the public lands in T. 50 N., Rs. 60 and 61 W., 6th P. M., Wyoming, have been withdrawn pending resurvey of said townships.

Under order of September 17, certain lands in Wyoming have been withdrawn as a rifle range for the Wyoming National Guard.

Certain public lands in Michigan have been withdrawn by order of September 17, for classification and pending determination as to advisability of including such lands in a national forest.

By order of September 17, the public lands in T. 15 S., R. 84 W., 6th P. M., Colorado, have been withdrawn pending resurvey of said township.

OIL AND GAS ACTIVITIES.

During the month of September the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 277 new applications and 2,849 applications for reconsideration. Permits were granted on 288 applications, 72 applications were finally rejected in entirety and 121 in part; 185 applications were rejected subject to appeal; 12 appeals were transmitted to the Secretary, and departmental decisions were promulgated in 11 cases, 10 affirming and 1 reversing this office; 27 assignments were acted upon, and 541 extensions of time were disposed of; 473 permits were held for cancellation and 353 permits were canceled; 970 cases were awaiting Geological Survey reports and 9 reports from Reclamation Bureau; 453 new cases were awaiting Survey reports, and 540 cases were examined and reports called for. 3,388 letters were written of which 231 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 6 leases involving 3 cases were delivered; 4 applications involving 8 leases were transmitted to the Secretary for authorization; 2 cases involving 3 leases were transmitted to the Secretary for execution of leases; 1 case involving amendment of 2 leases was forwarded to the Secretary for approval; 3 leases, involving 2 cases were held for cancellation and 1 lease was canceled; 2 lease applications were rejected subject to appeal; 1 appeal was transmitted to the Secretary; 1 application for cancellation of lease was rejected; bonds were released in 2 cases; 1 case was transmitted to the Secretary recommending drilling relief; 14 assignments involving 13 cases were disposed of, and 9 applications for extensions of time were acted upon; 10 applications for reduction of royalty were considered and 3 recommended to the Secretary and 7 approved by the Department; 2 sales contracts were approved, 1 rejected, and 3 were recommended for approval by the Department. 114 letters were written of which 28 were replies to inquiries.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

Receipts under the mineral leasing act of February 25, 1920, during the month of August were \$328,298.38, all from lands outside of naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR MONTH OF AUGUST, 1928.

Office.	Business of current month.				Pending at end of month.		
	Applications, proofs, etc., received.	Receipts and final certificates issued and miscellaneous.	General Land Office letters received.	Contest cases initiated.	Total	Pending designation.	Suspended, rejected, or otherwise.
Alaska							
Anchorage	16	92	55		163		16
Fairbanks	17	39	54		110		
Arizona							
Phoenix	213	867	300	15	1,395	136	134
Arkansas							
Little Rock	61	714	30	5	810		48
California							
Los Angeles	227	937	151	7	1,322	121	148
Sacramento	154	1,485	299	9	1,947	221	201
Colorado							
Denver	199	1,933	541	9	2,682	304	661
Pueblo	109	761	142	5	1,017	121	97
Florida							
Gainesville	36	688	86	18	828		17
Idaho							
Blackfoot	168	1,005	72	5	1,250	203	215
Coeur d'Alene	24	191	15		230	8	28
Minnesota							
Cass Lake	21	291	40	3	355		14
Montana							
Billings	272	1,393	158	7	1,830	159	286
Great Falls	332	1,944	336	6	2,618	146	444
Nebraska							
Alliance	23	291	38		352	13	14
Nevada							
Carson City	43	813	101	3	960	63	55
New Mexico							
Las Cruces	361	1,104	287	27	1,779	108	316
Santa Fe	337	1,294	260	5	1,896	158	293
North Dakota							
Bismarck	14	343	35		392	17	23

Oregon	15	158	41	5	214	48	52
Lakeview	73	864	51	6	993	5	60
Roseburg	92	1,138	53	3	1,289	91	51
The Dalles	79	723	145	16	950	41	36
South Dakota	232	1,157	420	5	1,825	408	294
Pierre	34	580	59	13	678	20	54
Utah	193	1,269	337	7	1,812	149	180
Salt Lake City	271	1,506	459	1	2,243	251	265
Washington	158	914	129		1,202	56	88
Spokane				180	33,142	2,847	4,090
Wyoming							
Buffalo							
Cheyenne							
Evanston							
Total	3,774	24,494	4,694				5

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

The first section of the report is a list of the names of the persons who have been admitted to the hospital during the year. This list is arranged in alphabetical order, and gives the name, age, sex, and occupation of each person. It also gives the date of admission, and the name of the physician who attended to the case.

The second section of the report is a list of the names of the persons who have been discharged from the hospital during the year. This list is also arranged in alphabetical order, and gives the name, age, sex, and occupation of each person. It also gives the date of discharge, and the name of the physician who attended to the case.

The third section of the report is a list of the names of the persons who have died in the hospital during the year. This list is arranged in alphabetical order, and gives the name, age, sex, and occupation of each person. It also gives the date of death, and the name of the physician who attended to the case.

The fourth section of the report is a list of the names of the persons who have been admitted to the hospital during the year, and who have been discharged from the hospital during the year. This list is arranged in alphabetical order, and gives the name, age, sex, and occupation of each person. It also gives the date of admission and discharge, and the name of the physician who attended to the case.

DISCHARGE AND DEATH

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LAND SERVICE BULLETIN

DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper trans-
action of public business.

Vol. 12.

November 1, 1928.

No. 9.

OREGON AND CALIFORNIA TAX UNIT.

During the month of October the unit charged with the duty of auditing county tax claims under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands, received one claim for the year 1927 in the amount of \$6,265.73. This makes a total of 17 claims for that year, aggregating \$578,861.63, of which 13 have been certified for \$540,967.59, leaving 4 pending claims involving \$37,395.78. All 1926 claims have been disposed of except 1 amounting to \$4,446.58, and all claims covering the period 1916-1925 have been finally adjudicated.

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SURVEY NOTES.

Resurvey, Group 120, Washington.--The dependent resurvey of T. 30 N., R. 39 E., W. M., Washington, has recently been accepted by this office. This township is one of four directed to be resurveyed at public expense by the act of March 3, 1927 (44 Stat., 1370). Numerous original corners on the boundaries of the township were recovered in the resurvey. The reported original survey of the subdivisional lines of the township, however, appears to have been purely fictitious. No evidence of the original subdivisional lines or corners could be found.

Resurvey, Group 208, Colorado.--Among recent acceptances was the dependent resurvey of T. 9 S., R. 46 W., 6 P. M., Group 208, Colorado, executed under the provisions of the act of September 21, 1918 (40 Stat., 965). All the lands in the township have passed from the Government into private ownership. While the

petition for the resurvey alleged that great confusion was present in the township as a result of the fact that the positions on the original corners could not be determined from the existing evidence of the original corner monuments, the executing engineer was able to satisfactorily identify a considerable number of the original corners both on the boundaries and in the interior of the township. Of the \$1,200 deposited by the petitioners to cover the cost of the resurvey, approximately \$400 has not been expended and will be returned to them.

Horn Island, Mississippi.--In September, 1925, a number of subdivisions of public land on Horn Island in T. 9 S., Rs. 5, 6, and 7 W., S. S. M., in the Gulf of Mexico, near Biloxi, Mississippi, were sold at public auction. Subsequently, complaints were received from certain of the purchasers that the lands could not be identified and upon the recommendation of former Division Inspector Neal, an investigation of conditions on the island was made. The field investigation developed the fact that the subdivisional surveys were practically nonexistent. It was found that the south shore which is exposed to the waters of the Gulf of Mexico, has undergone considerable change and that rather extensive changes had occurred at both the east and west ends of the island, involving both erosion and accretion. As a result of these conditions a resurvey of Horn Island has been authorized by the Department and will be executed during the coming winter field season.

Survey of Lands Bordering Sabine River, Louisiana.--A field investigation in T. 7 S., R. 13 W., in Louisiana has developed the fact that the official surveys of this township were never actually extended to the Sabine River. The record meander line in places diverges widely from the actual left bank of the river and actually crosses the river 6 or 7 times. Three large tracts aggregating 432 acres were found to be omitted from the official surveys. The west or right bank of the Sabine River through this vicinity forms the boundary line between the States of Louisiana and Texas. A study of conditions was made to determine whether or not any changes had taken place which would affect the position of the State boundary. After consideration of the case, the department authorized the survey of the omitted public lands.

Eastern District Survey Notes.--Field work in the northern States was brought to a close during the month of October, and the parties transferred to southern work for the fall and early winter program. Adverse weather conditions hampered the northern work to some extent, but the more important assignments were completed prior to the withdrawal of the parties.

Five parties are now in the field in Missouri, Arkansas, and Louisiana. These parties are engaged in the survey of lands along the St. Francis River in Missouri, resurveys within the Ouachita National Forest, Arkansas, and extension surveys within the so-called "Black Lake" area in Louisiana. Other work on schedule includes examinations and surveys in Oklahoma, and the survey of lands along the Sabine River in Louisiana.

Circular No. 1168.

REGULATIONS: PROCURING GASOLINE FOR GOVERNMENT-OWNED CARS.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 4, 1928.

Field Employees

of the General Land Office.

Sirs:

Pursuant to decisions of the Comptroller General of June 23, 1928 (A-23229), and July 30, 1928 (A-23419), where small purchases of gasoline are made for Government-owned cars and the payment of a State tax is required, receipt should be taken in duplicate, showing State, date, and vendor, and the number of gallons procured, base price per gallon and tax per gallon, as well as total paid. Both receipts, one marked "duplicate," should be attached to the reimbursement voucher. The duplicate receipts will be detached in this office and scheduled to the General Accounting Office for collection of the State tax.

Wherever practicable gasoline should be procured under contract, and, in accordance with the decisions cited, such contracts should not provide directly or indirectly for the payment of any State tax.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1169.

ACCOUNTS: DIGEST OF RECEIPT FUND SYMBOLS.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 8, 1928.

"M" APB

Registers, Receivers,

and Special Disbursing Agents:

Sirs:

The Comptroller General has prescribed symbols for all receipt titles used by the Treasury Department in designating moneys covered into the Treasury which will be used in connection with the respective receipt titles.

The prescribed symbols by general headings and subheadings, with specific titles, pertaining to receipts under this office arranged in numerical order, are as follows:

3000 Fees

3260 Copying.

3310 Land Offices (including commissions).

3800 Forfeitures3820 Bonds.

3824 Contractors.

4000 Assessments.

4094 Surveying Public Lands, Deposits by Individuals for Expenses of.

4200 Reimbursements

4280 Expenses (give nature).

4330 Government property lost or damaged.

5000 Sales of Government Property - Products (See also 7800).

5090 Maps.

5110 Waste paper.

5180 Stores, condemned (unserviceable)

6000 Rents and Royalties

- 6003 Mineral Sales on Reserved Land, Tanana Valley, Alaska (Special Fund)
- 6014 Coal Mine Leases in Alaska, Royalties on
- 6019 Land, Grazing
- 6020 Land
- 6022 Mineral Leasing Act, Feb. 25, 1920, Receipts under, Future Production (give name of State)
- 6024 Mineral Leasing Act, Feb. 25, 1920, Naval Petroleum Reserve Lands (give name of State)
- 6026 Mineral Leasing Act, Feb. 25, 1920, Receipts under Past Production (give name of State)
- 6027 Oil and Gas, Royalties on, Act of June 26, 1926 (44 Stat. 1621) (This is Cheyenne 034097)
- 6030 Oil and Gas, Red River, South Half, Royalties, Money due Oklahoma, Act Mar. 4, 1923.
- 6040 Potash Deposits, Royalties, and Rentals
- 6060 Water Power Sites

6200 Permits, Privileges, and Licenses

- 6240 Power Permits
- 6250 Power Transmission (right of way for power lines)

7000 Realization upon Assets

- 7150 Coos Bay Wagon-Road Grant Fund (Special Fund)
- 7600 Lands, Sale of, Public (By States and districts) Registers and Receivers, U. S. Land Offices
- 7610 Lands, Reserve, Sale of, Reclamation Projects, Act of May 20, 1920
- 7650 Oregon and California Land Grant Fund (Special Fund)
- 7660 Town Lots, Alaska
- 7670 Town Lots, Sale of Hot Springs Reservation, Arkansas (Special Fund)
- 7680 Town Sites, Proceeds of Reclamation Service

7800 Sale of Government Property

- 7810 Buildings, exclusive of land (give name and location)
- 7820 Equipment. Includes trucks, horses, cars, machinery, furniture and fixtures, and other capital equipment (give nature)
- 7830 Land, etc. (give description and location) (Sale of Public Lands is 7600)
- 7840 Land and Buildings (give description and location)

8000 Trust Funds

- 8500 Interior Department (Civil)
 - 8554 Outstanding Liabilities, Land
 - 8560 Surveys, Completing, within railroad land grants
 - 8562 Unearned Moneys, Land
- 8600 Interior Department (Indian)
 - 8603 Blackfeet Reservation, Mont., Proceeds, Sale of Indian Lands (Trust Fund)

8000 Trust Funds - continued

- 8604 Cheyennes and Arapahoes in Oklahoma, Proceeds, Sale of Indian Lands (Trust Fund)
- 8605 Cheyenne River Reservation, S. Dak., Proceeds, Sale of Indian Lands, Act of May 29, 1908 (Trust Fund)
- 8606 Cheyenne River Reservation, S. Dak., Proceeds, Sale of Indian Lands, Act of Jan. 28, 1913 (Trust Fund)
- 8610 Chippewas in Minnesota, Proceeds, Sale of Indian Lands, Act of Jan. 14, 1889 (Trust Fund)
- 8612 Coeur d'Alene Reservation, Idaho, Proceeds, Sale of Indian Lands (Trust Fund)
- 8613 Colorado River Reservation, Ariz., Proceeds, Sale of Indian Lands (Trust Fund)
- 8615 Colville Reservation, Wash., Proceeds, Sale of Indian Lands, Act of Mar. 22, 1906 (Trust Fund)
- 8616 Crow Reservation, Mont., Proceeds, Sale of Indian Townsites, Act of June 4, 1920 (Trust Fund)
- 8617 Crow Reservation, Mont., Proceeds, Sale of Indian Lands, Act of Apr. 27, 1904 (Trust Fund)
- 8618 Devils Lake Reservation, N. Dak., Proceeds, Sale of Indian Lands (Trust Fund)
- 8620 Flathead Reservation, Mont., Proceeds, Sale of Indian Lands, Act of Apr. 23, 1904 (Trust Fund)
- 8621 Fort Berthold Reservation, N. Dak., Proceeds, Sale of Indian Lands (Trust Fund)
- 8622 Fort Belknap Reservation, Mont., Proceeds, Sale of Indian Townsites (Trust Fund)
- 8623 Fort Hall Reservation, Idaho, Proceeds, Sale of Indian Townsites (Trust Fund)
- 8624 Fort Peck Reservation, Mont., Proceeds, Sale of Indian Lands (Trust Fund)
- 8626 Kiowa, Comanche, Apache Indians, Moneys due for Oil and Gas, South Half Red River, Act of Mar. 4, 1923 (Trust Fund)
- 8627 Kiowa Agency Hospital, Okla., Proceeds, Sale of Indian Lands (Trust Fund)
- 8628 Kiowa, Comanche, Apache Indians, Okla., Proceeds, Sale of Indian Lands (Trust Fund)
- 8629 Kiowa, Comanche, Apache Indians, Okla., Proceeds, Sale of Indian Town Lots (Trust Fund)
- 8630 Lower Brule Reservation, S. Dak., Proceeds, Sale of Indian Lands, Act of Apr. 21, 1906 (Trust Fund)
- 8635 Pine Ridge Reservation, S. Dak., Proceeds, Sale of Indian Lands (Trust Fund)
- 8636 Piute Indians, Pyramid Lake Reservation, Nevada, Proceeds, Sale of Indian Lands (Trust Fund)
- 8637 Red Lake Reservation, Minn., Proceeds, Sale of Indian Lands, Act of Feb. 20, 1904 (Trust Fund)
- 8639 Rosebud Reservation, S. Dak., Proceeds, Sale of Indian Lands, Act of Mar. 2, 1907 (Trust Fund)
- 8640 Rosebud Reservation, S. Dak., Proceeds, Sale of Indian Lands, Act of Apr. 23, 1904 (Trust Fund)
- 8641 Round Valley Reservation, Calif., Proceeds, Sale of Indian Lands, Act of Feb. 8, 1905 (Trust Fund)

8000 Trust Funds - continued.

- 8643 Rosebud Reservation, S. Dak., Proceeds, Sale of Indian Lands, Act of May 30, 1910 (Trust Fund)
- 8645 Standing Rock Reservation, N. Dak.-S. Dak., Proceeds, Sale of Indian Lands, Act of May 29, 1908 (Trust Fund)
- 8646 Standing Rock Reservation, N. Dak.-S. Dak., Proceeds, Sale of Indian Lands, Act of Feb. 14, 1913 (Trust Fund)
- 8647 Shoshone or Wind River Reservation, Wyo., Proceeds, Sale of Indian Lands (Trust Funds)
- 8649 Southern Ute Reservation, Proceeds, Sale of Indian Lands (Trust Funds)
- 8650 Uintah and White River Ute, Proceeds, Sale of Indian Lands (Trust Fund)
- 8651 Umatilla Reservation, Oreg., Proceeds, Sale of Indian Lands (Trust Fund)
- 8652 Ute Indian Lands, Sale of
- 8655 Yuma Reservation, Calif., Proceeds, Sale of Irrigable Lands, Act of Apr. 21, 1904 (Trust Fund)

An alphabetical arrangement follows:

	<u>Symbol</u>
Bonds, Contractors, Forfeiture of	3824
Coal Mine Leases in Alaska, Royalties on	6014
Contractors, Forfeiture of Bonds of	3824
Coos Bay Wagon-Road Grant Fund	7150
Copying Fees	3260
Equipment, includes trucks, horses, furniture and fixtures, cars, machinery, and other capital equipment, Sale of	7820
Expenses (give nature) Reimbursement for.	4280
Fees and Commissions (see 3310)	
Forfeiture of Bonds	3820
Contractors	3824
Government Property Lost or Damaged, Reimbursement for.	4330
Land and Buildings (give description and location)	
Sale of	7840
Land, etc. (give description and location), Sale of	7830
Land, Grazing, Rents from	6019
Land, Rents from	6020
Land Offices (including commissions) Fees	3310
Lands, Sale of Public (by States and Districts)	
(Registers and Receivers)	7600
Maps, Sale of	5090
Mineral Leasing Act, Feb. 25, 1920, Naval Petroleum	
Reserve Lands, Rents from	6024
Mineral Leasing Act, Feb. 25, 1920, Receipts under, Future	
Production	6022
Mineral Leasing Act, Feb. 25, 1920, Receipts under,	
Past Production	6026
Oil and Gas, Red River, South Half, Royalties, Money due	
Oklahoma, Act of Mar. 4, 1923	6030
Oregon and California Land Grant Fund	7650
Outstanding Liabilities, Land	8554

Paper, Waste, Sale of	5110	1117
Potash Deposits, Royalties and Rentals from	6040	1117
Power Permits	6240	1117
Power Transmission (right of way for power lines), Permits for	6250	1117
Proceeds, Sale of Government Property (see Symbol 5000-5499 and 7800-7999)		1117
Rents (see also Royalties)	6000-6199	
Royalties (see also Rents)	6000-6199	
Stores, Condemned, Sale of	5180	
Surveying Public Lands, Deposits by Individuals for Expenses of	4094	
Surveys, Completing, within Railroad Land Grants	8560	
Town Lots, Alaska	7660	
Town Lots, Sale of, Hot Springs Reservation, Ark.	7670	
Town Sites, Proceeds of, Reclamation Service	7680	
Trust Funds	8000	
Trust Funds, Interior Department (Indian)(see Symbols).	8601-8655	
Unearned Moneys, Lands	8562	
Water Power Sites, Rents and Royalties on	6060	

The Comptroller General directs:

"Disbursing and collecting officers will use symbols and titles of receipt accounts on all schedules of collections (abstracts of moneys returned or applied and abstracts of moneys applied) and accounts current forwarded to the General Accounting Office, and also on all certificates of deposit for funds covered into the Treasury of the United States."

Beginning with the receipt hereof the symbols above prescribed will be used in connection with fund titles on all abstracts of moneys returned or applied, abstracts of moneys applied, accounts current and certificates of deposit to personal credit (Form 1 A).

The titles are to be written in the usual way, as for example, "6022 Receipts under Mineral Leasing Act of February 25, 1920 - Future Production (State)" instead of the index form used herein.

The Comptroller General says:

"It is essential that all deposits made to the credit of the Treasurer of the United States for credit to an appropriation, revenue, or trust fund account be covered in the Treasury without unnecessary delay and all depositing officers are enjoined when making such deposits to state clearly the title of the fund, giving in doubtful cases such information as will disclose its character and identify the fund involved."

When money is deposited of a class to which a specific receipt symbol has not been assigned, the symbol assigned to the major source within which the receipt falls will be used until such time as the receipt is finally classified and symbolized. That is, for example, if there is a receipt for rents or royalties other than those for which definite symbols are assigned, the symbol assigned to the major source "Rents and Royalties"

being 6000, that number should be used followed by such an expression as will identify the particular receipt, or, "if there is a receipt for Indian Lands that can not be identified with one of the symbols given, the number to be used is 8600, the symbol for the major source Trust Funds - Interior Department (Indian) followed by some such identifying statement as "Sale of Blank Indian Lands" and a citation of the statute.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1170.

INSTRUCTIONS RELATIVE TO PUBLICATION OF PROOF NOTICES UNDER
ACT OF JUNE 11, 1906 (34 Stat. 233), IN HOMESTEAD ENTRY SURVEY CASES.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 12, 1928. "M"

1316630 "C" NMB.

Registers,

United States Land Offices.

Sirs:

Your attention is called to paragraph 12, Circular No. 263 (42 L. D. 331), which is the circular of instructions governing entries under the act of June 11, 1906 (34 Stat. 233).

It is observed that in publishing the notice of intention to submit final proof on entries for lands covered by homestead entry surveys the survey number is given followed by the description by metes and bounds. This results in a lengthy description the cost of which often causes a real hardship to the entryman.

As a plat of the survey is posted on the land and in the respective United States district land office it is deemed sufficient in such publications to give the homestead entry number, list number, survey number, acreage and the approximate description by section, township, and range numbers.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1171.

ACCOUNTS: DEPOSITS BY PUBLIC SURVEY OFFICES.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

"M" APB

October 26, 1928.

Office Cadastral Engineers.

Beginning November 1, 1928, you will deposit all remittances "For Credit, subject to check, in the special deposit account of Frank A. Lewis, Symbol No. 61391."

If there is a Federal Reserve Bank or Branch Bank in your city you will deposit cash (including money orders) and paper (checks, drafts, etc.), in the form received with such Federal Reserve Bank or Branch Bank, for credit subject to Mr. Lewis' check. If there is no such bank or branch in your city you will forward all checks, drafts, etc. (Treasury regulations say "daily") for deposit with the Denver Branch Federal Reserve Bank of Kansas City, making the set of certificates in form:

CERTIFICATE OF DEPOSIT FOR CHECKING ACCOUNT.

Address (your city) _____ Deposit No. _____
 Depositor (your name), Office Cadastral Engineer
 has deposited with Federal Reserve Bank of K. C., Denver Branch
 Amount (in words)..... Dollars
 For Credit, subject to check, in the special deposit account of Frank A. Lewis ...
 Symbol No. 61391. \$(amount in figures)
 Public Survey Office,
 Denver, Colorado.

Wherever there is a general depository (National Bank or Federal Reserve Bank or Branch Bank) cash (including money orders) will be deposited locally with such general depository, but always for credit subject to Mr. Lewis' check.

Abstracts (or schedules) of Collections, will, as heretofore, include all moneys received by you during the month for which they are rendered.

Very respectfully,

WILLIAM SPRY,

Commissioner.

RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By order of September 22, the public lands in T. 45 N., R. 88 W., 6th P. M., Wyoming, have been released from resurvey withdrawal and restored.

By order of September 22, a tract of 800 acres in Nevada has been excluded from the Toiyabe National Forest and restored.

By order of September 25, the public lands in T. 14 S., R. 21 E., N. M. P. M., New Mexico, have been released from resurvey withdrawal and restored.

Certain public lands in California have been added to the Eldorado National Forest by proclamation of September 28, and certain other lands released from withdrawal for classification and restored.

By order of September 28, a small tract in Alaska has been excluded from the Chugach National Forest and restored.

By order of the same date a small tract in Alaska has been excluded from the Tongass National Forest and restored.

By order of October 20, the public lands in T. 37 N., R. 19 W., N. M. P. M., Colorado, have been withdrawn pending resurvey of said township.

Certain lands in California withdrawn for reclamation purposes in connection with the Klamath irrigation project, have been reserved for use by the Department of Agriculture as Tule Lake Bird Refuge.

By order of October 25, certain lands in Washington have been excluded from the Chelan National Forest.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

- - - 0 - - -

Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

27609

(31)
WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

Approximately 17,000 acres of unreserved, unappropriated lands in Johnson County, Wyoming, will be opened to homestead and desert-land entry on November 8, 1928, at 9 o'clock a. m., at the United States land office, Buffalo, Wyoming, through filing of the plats of resurvey of Townships 45 and 47 North, Range 83 West, 6th P. M.

A portion of Township 45 North, Range 83 West is embraced in a stock-drive withdrawal and not subject to appropriation under the general public land laws except in the case of valid adverse claims initiated prior to the date when the lands were first withdrawn for stock-driveway purposes.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to November 8, 1928, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On February 7, 1929, at 9 a. m. the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Application by the general public may be presented at any time during the 20-day period prior to February 7, 1929, and will be treated as though simultaneously filed on that date.

The character of the land in Township 45 North, Range 83 West is generally rolling mountains with a rolling mesa in the northeast portion of the township. The soil is gravelly loam and heavy clay. There is no timber. An undergrowth of sage and mahogany brush is found on the higher slopes with a good growth of native grasses throughout the township. The township is principally valuable for grazing purposes. Abundant forage crops are raised on irrigated lands along the north fork of Powder River. No indication of mineral has been noted.

In Township 47 North, Range 83 West, the land is rough, the soil shallow and rocky. Some pine fir and aspen timber is found, but is of little value. Native grasses afford excellent grazing for stock during the short summer season. The township is well watered by several branches of Crazy Woman Creek and by numerous springs. Some of the bottom land along the creeks are irrigated and diversified farming is carried on by the settlers. Some indications of copper are found in Sections 29, 30, and 31.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

27609

(32)
UTAH:

OPEN TO ENTRY THROUGH SURVEY.

Approximately 22,000 acres of unreserved unappropriated lands in San Juan County, Utah, will be opened to homestead and desert-land entry on November 17, 1928, at 9 a. m. at the United States land office, Salt Lake City, Utah, through the filing of the plat of survey of T. 41 S., R. 15 E., S. L. M.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to November 17, 1928, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On February 16, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition and applications so received will be treated as though simultaneously filed at 9 a. m. on February 16, 1929.

The character of the land is rolling and broken bench land or mesas cut by deep canyons in the northern and western part of the township. The remainder of the township is generally rolling bench lands. The soil is generally sandy with a great amount of sandstone surface rock. The only timber is scrub juniper with a scattering undergrowth of black brush, mountain rush, smole plant, and rabbit brush. The only water found is a small spring in Sec. 15. There are no indications of mineral. There are no settlers in the township, except a few Navajo Indians who keep moving from place to place.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

(33)

NEVADA:

RELEASED FROM FOREST RESERVATION.

Eight hundred acres in Secs. 8, 9, and 16, T. 10 N., R. 44 E., M. D. M., in Nye County, Carson City land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning November 24, 1928. Applications of ex-service men may be presented at the district land office at Carson City by such ex-service men during the 20 days prior to that date. On and after February 25, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been released from forest reservation. Further information, if desired, may be obtained from the United States land office at Carson City, Nevada.

(34)
COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

27609

RECOVERED THROUGH CANCELLATION OF PATENT.

One hundred seventy-three and seventeen hundredths acres in Sec. 4, T. 4 N., R. 45 W., 6th P. M., Yuma County, Denver land district. Opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days beginning November 16, 1928. Applications may be presented at the district land office at Denver by such ex-service men during the 20 days prior to that date. On and after February 15, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through cancellation of patent and has been designated under the enlarged and stock raising homestead acts. Further information, if desired, may be obtained from the U. S. Land Office at Denver, Colorado.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

27609

(35)

MONTANA:

RECOVERED THROUGH CANCELLATION OF PATENT.

One hundred fifty-five and thirty-eight hundredths acres in Secs. 8 and 17, T. 22 N., R. 23 E., P. M., in Fergus County, Billings land district, opened to surface entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days beginning November 16, 1928. Applications may be presented at the district land office at Billings by such ex-service men during the 20 days prior to that date. On and after February 15, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through cancellation of patent and has been designated under the enlarged and stock raising homestead acts. Further information, if desired, may be obtained from the U. S. Land Office at Billings, Montana.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

(36)
CALIFORNIA:

RELEASED FROM WITHDRAWAL.

Nine hundred sixty-three and fifty-two hundredths acres consisting of small tracts in Secs. 29, 33, 34 and 35, T. 10 N., R. 12 E., and of a larger tract in Secs. 7 and 18, T. 9 N., R. 13 E., M. D. M., in Eldorado County, Sacramento land district, open to entry only by ex-service men of the World War under the homestead and desert-land laws for a period of 91 days beginning November 30, 1928. Applications of such ex-service men may be presented at the U. S. Land office at Sacramento during the 20 days prior to that date. On and after March 1, 1929, the unentered land will be subject to appropriation under any applicable public land law by the general public.

The land has been released from withdrawal for forest classification, having been found not valuable for forest purposes, and is generally grazing land. Further information if desired may be obtained from the United States land office at Sacramento, California.

(37)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

(83)

RESTORATION FROM RECLAMATION WITHDRAWAL.

IDAHO: About 500 acres in Boise County in T. 7 N., R. 2 E., B. M., will be opened to homestead and desert land entry beginning November 17, 1928, for a period of 91 days to ex-service men of the World War, subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the U. S. Land Office, at Blackfoot, Idaho, during the 20 days preceding that date or from October 28 to November 16, 1928 inclusive. All conflicts up to 9 a. m., November 17, 1928, will be decided by a drawing. Any lands remaining unentered after the expiration of the 91 day period, or beginning February 16, 1929, will be open to entry under any applicable public land law, by the general public.

Available information indicates that the lands are generally agricultural in character. Gardena on the Oregon short line appears to be the nearest town.

EFFECTIVE DATES

Soldiers' simultaneous filing period:

October 28 to November 16, 1928 inclusive.

Preference period for ex-service men:

November 17, 1928 to February 15, 1929 inclusive.

Simultaneous filing period for public:

January 27, 1929 to February 15, 1929 inclusive.

Lands open to general public: February 16, 1929.

(38)
MONTANA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

27609

OPEN TO ENTRY THROUGH SURVEY

Approximately 1800 acres of unreserved unappropriated public lands in Beaverhead County and approximately 14,500 acres in Madison County, Montana, will be opened to homestead and desert land entry on December 5, 1928, at 9 a. m., at the U. S. land office, Great Falls, Montana, through the filing of the plats of survey of T. 2 S., R. 14 W., and T. 7 S., R. 3 W., P. M., Montana.

The greater portion of the lands in T. 2 S., R. 14 W., are in the Beaverhead National Forest and a portion of the lands in T. 7 S., R. 3 W., are in Madison National Forest. These lands will not be subject to appropriation under the general public land laws except in the case of valid adverse claims initiated prior to the date when the lands were first withdrawn for forest purposes.

A small portion of the lands in T. 7 S., R. 3 W., is embraced in a stock driveway withdrawal and not subject to appropriation under the general public land laws except in the case of valid adverse claims initiated prior to the date when first withdrawn for stock driveway purposes.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to December 5, 1928, and applications so received will be treated as though simultaneously filed at 9 a. m., on the opening date.

On March 6, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications on the part of the general public may be filed at any time during the 20 day period prior to the date when the land is opened to general disposition.

The land in T. 7 S., R. 3 W., is mountainous, the soil is rocky clay supporting a good growth of forage grasses. There is a scattering growth of pine and fir timber of merchantable quality throughout the township. The township is highly mineralized and there are many patented mining claims in the northeast portion. The land, except for a few small areas, is unfit for agricultural purposes.

The land in T. 2 S., R. 14 W., is rough and mountainous, the soil is gravelly clay loam and rocky. The township is nearly all covered with a heavy growth of lodgepole pine timber. Spruce and balsam is plentiful along the water courses and considerable fir timber is found on the lower west slopes. There are no evidences of metallic minerals or petroleum deposits.

(39)
UTAH:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY

Approximately 90,000 acres of unreserved unappropriated public lands in San Juan County, Utah, will be opened to homestead and desert land entry on November 23, 1928, at 9 a. m., at the U. S. land office, Salt Lake City, Utah, through the filing of the following plats of survey:

T. 41 S., R. 14 E., S. L. M.,
T. 42 S., R. 12 E., S. L. M.,
T. 42 S., R. 13 E., S. L. M.,
T. 43 S., R. 13 E., S. L. M.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to November 23, 1928, and applications so received will be treated as though simultaneously filed at 9 a. m., on the opening date.

On February 23, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be filed at any time during the 20-day period prior to the date when the land is opened to general disposition.

The land in T. 41 S., R. 14 E., consists of low rolling benches broken in places by sandstone rimrock. The soil is shallow loose sand in the dips of the surface sandstone. There is no timber, but the township is covered with a scattering under-growth which with native grass afford fair grazing for stock during the winter months. No springs or streams were found in the township. There are no settlers and no surface indications of minerals or coal in the township, but the entire township is covered by oil leases although no drilling had been done up to the time of the survey.

The character of the land in T. 42 S., R. 12 E., is rolling, mesa and rough broken slopes and benches. The soil is light, shallow, sandy and rocky loam lying on sandstone bedrock mixed with blue clay. The mesa tops are covered with a medium growth of brush and native grass with a scattering growth of scrub juniper and pinyon pine. Small springs of fair water are located in Secs. 23, 11, 5 and 6. There were no settlers living in the township at the time of survey. There were no indications of metallic mineral, oil, oil shale or coal.

The character of the land in T. 42 S., R. 13 E., is rough and broken with high mesas in the western and northeastern portions. The elevation of the township ranges from 5,000 to 6,500 feet above sea level. The soil is sandy on the mesas and hard dry clay on the slopes. Scattering scrub juniper is found on the mesas and a scattering growth of brush on the slopes and in the valleys. Water is scarce in the township. No indications of metallic mineral were noted. The township is best adapted for winter or early spring grazing for sheep and cattle.

The land in T. 43 S., R. 13 E., is rough and broken by Copper Canyons. The soil is shallow loose sand and rock. The timber consists of scattering scrub juniper and pinyon pine. There is a scattering of forage grasses and brush which affords fair grazing for stock. Small seeps of alkaline water were found in Secs. 7, 10, 13 and 18. The township is not suitable for farming. There are no indications of mineral.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office,
Washington

27609

(40)
NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

Approximately 4,500 acres of unreserved, unappropriated public land in Rio Arriba County, New Mexico, will be opened to homestead and desert-land entry on November 27, 1928, at 9 a. m., at the United States land office at Santa Fe, New Mexico, through the filing of the plat of resurvey of T. 22 N., R. 3 E., N.M.P.M., New Mexico.

Secs. 13 to 36 of the township are within the limits of the Santa Fe National Forest and not subject to disposition under the general public land laws, except in the case of valid adverse claims initiated prior to the date when the lands were first withdrawn for forest purposes. Part of Sec. 3 is withdrawn for use by the Forest Service as an Administrative Site.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to November 27, 1928, and applications so presented will be treated as though simultaneously filed at 9 a. m. on the opening date.

On February 26, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition, and applications so received will be treated as though simultaneously filed at 9 a. m. on February 26, 1929.

The land is largely rough, mountainous and mesa land. A dense growth of pine, spruce, fir, aspen, pinyon and cedar covers large portions of the township. There is considerable sagebrush on the lower slopes. There are many fine creeks and considerable settlement in the valleys of the streams. The soil is a rich, dark loam in part of the township. The remainder of the township is gravelly and stony, with lava formations in some sections. There is considerable farming activity in the valleys on these streams. Surface water is diverted from the various streams for the irrigation of these farm tracts.

(41)
CALIFORNIA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY.

Approximately 7,700 acres of unreserved, unappropriated public lands in San Bernardino County, California, will be opened to homestead and desert-land entry on December 1, 1928, at 9 a. m., at the U. S. land office, Sacramento, California, through the filing of the plat of survey of a part of T. 14 N., R. 15 E., S. B. M.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to December 1, 1928, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On March 2, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications on the part of the general public may be filed at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on March 2, 1929.

The character of the land is rough and mountainous. The soil is stony and gravelly. Timber upon the land consists of pinon and cedar of commercial value for fence posts and firewood. There is an undergrowth of greasewood, buck brush and cacti, with a fair growth of grass. Intermittent streams are found in many of the rocky washes in the township. Numerous mine shafts, tunnels and shacks, especially in sections 23 and 35, indicate former mining activity. The mines have apparently been abandoned.

Lot 10 Sec. 22 is withdrawn as a Public Water Reserve.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

27609

(42)
WYOMING:

RESTORATION FROM RECLAMATION WITHDRAWAL.

One thousand seven hundred acres in Secs. 20, 21, 28, 29 T. 22 N., R. 60 W., Sec. 8 T. 23 N., R. 61 W., Sec. 20 T. 23 N., R. 62 W., 6th P. M., in Goshen county, will be opened to homestead and desert-land entry to ex-service men of the World War, subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the U. S. land office at Cheyenne, Wyoming, during the twenty days preceding that date, or from November 3 to November 23, 1928, inclusive. All conflicts up to 9 a. m. November 24, 1928, will be decided by drawing. Any lands remaining unentered at the expiration of the 91-day period or beginning February 23, 1929, will be open to entry under any applicable public land law by the general public. Available information indicates that the lands are generally rolling prairie lands with sandy soil. The nearest towns are Huntley and Veteran on the Union Pacific railroad.

EFFECTIVE DATES.

Soldiers' simultaneous filing period:

November 3 to November 23, 1928, inclusive.

Preference period for ex-service men:

November 24, 1928, to 9 a. m. February 23, 1929.

Simultaneous filing period for public:

February 2, 1929, to 9 a. m. February 23, 1929.

Lands open to general public 9 a. m. February 23, 1929.

OIL AND GAS ACTIVITIES.

During the month of October the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 564 new applications and 3,827 applications for reconsideration. Permits were granted on 373 applications, an increase of 85 over last month; 113 applications were finally rejected, and 40 were finally rejected on drawings; 131 were finally rejected in part; 20 appeals were transmitted to the Secretary, and 9 departmental decisions were promulgated, 5 affirming, 1 reversing and 3 modifying decisions of this office; 294 applications were rejected subject to appeal in entirety and 20 were rejected in part, subject to appeal; 55 assignments were acted upon, and 525 applications for extensions of time were disposed of; 247 permits were held for cancellation and 673 permits were canceled; 1,379 cases are awaiting reports from the Geological Survey and 31 from the Reclamation Bureau; 794 cases were examined and reports called for. 4,437 letters were written, of which 281 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 2 leases were transmitted to the Secretary for execution and 2 leases were delivered to the lessees; 2 lease applications were forwarded to the Secretary for authorization, and 3 leases were mailed to lessees for execution; 2 applications for reduction in royalty were acted upon, 14 assignments involving 13 cases and 9 applications for extensions of time involving 3 cases were disposed of; 1 lease was held for cancellation and 1 lease was canceled; 2 lease applications were rejected subject to appeal; 166 letters were written of which 48 were replies to inquiries.

On October 17, 1928, the Attorney General held that the United States was not bound by the contract with the Sinclair Crude Oil Purchasing Company in the Salt Creek Oil Field, Wyoming, and all lessees in that field were directed by telegraph to pay their royalties in cash beginning October 22, 1928. Bids for the purchase of the royalty oil, effective January 1, 1929, have been called for through advertisements inserted in all the prominent oil journals throughout the United States, bids to be in the hands of the Secretary of the Interior, Washington, D. C., by December 10, 1928.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of September were \$304,708.55, all from land outside of naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR MONTH OF SEPTEMBER, 1928.

Office.	Business of current month.			Pending at end of month.		
	Applications, proofs, etc., received.	Receipts and final certificates issued and miscellaneous.	General Land Office letters received.	Contest cases initiated.	Total	Pending designations. or otherwise. Pending at end of month.
Alaska						
Anchorage	19	65	50		134	
Fairbanks	47	57	14		118	
Arizona						
Phoenix	221	800	250	23	1,294	131
Arkansas						
Little Rock	58	675	34		767	48
California						
Los Angeles	225	911	134	8	1,278	150
Sacramento	125	1,513	197	9	1,844	196
Colorado						
Denver	172	1,439	249	2	1,862	616
Pueblo	105	645	111	2	863	104
Florida						
Gainesville	33	494	64	13	604	18
Idaho						
Blackfoot	133	905	83	5	1,126	255
Coeur d'Alene	18	172	18		208	27
Minnesota						
Cass Lake	25	267	39		331	14
Montana						
Billings	184	1,659	139	4	1,986	304
Great Falls	318	1,785	275	2	2,580	372
Nebraska						
Alliance	17	193	20		230	12
Nevada						
Carson City	44	613	59	1	717	59
New Mexico						
Las Cruces	282	1,085	320	10	1,697	381
Santa Fe	279	1,200	244	6	1,729	346
North Dakota						
Bismarck	25	423	34		482	19

Oregon	27	144	18	2	189	48	56
Lakeview	59	710	51		822	6	63
Roseburg	60	835	42		937	83	57
The Dalles							
South Dakota							
Pierre	62	573	91	3	729	44	41
Utah							
Salt Lake City	202	1,142	192	5	1,541	419	283
Washington							
Spokane	27	517	33	2	579	27	33
Wyoming							
Buffalo	173	1,220	219	9	1,621	163	191
Cheyenne	334	1,477	551	8	2,370	273	396
Evanston	139	669	208		1,016	61	82
Total	3,413	22,188	3,739	114	29,454	2,960	4,279
							13

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE

BULLETIN

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12

December 1, 1928.

No. 10.

OREGON AND CALIFORNIA TAX UNIT.

There has been no statistical change, since the report of last month, in the status of county tax claims under the act of July 13, 1926 (44 Stat. 915), involving Oregon and California Railroad revested lands.

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SURVEY NOTES.

Surveys in Pensacola, Florida.--The survey of eleven parcels of land in the city of Pensacola, Florida, was authorized on November 30, 1928. The survey of these areas is based upon the act of January 12, 1925 (43 Stat. 738), which authorizes the Secretary of the Interior to determine and confirm by patent in the nature of a deed of quit claim the titles to lots in the city of Pensacola. The original survey was executed by James W. Exum in 1827, and the surveying problem involved is to identify and monument the boundaries of the tracts and to correlate the present surveys with the original survey. During the past surveying season in Florida one tract of land was surveyed in Pensacola under the provisions of the above-noted act of Congress.

Colorado and New Mexico Boundary.--The second season in the field on the work of marking the boundary line between the States of Colorado and New Mexico was brought to a close on November 6th. The survey is being made by a General Land Office party headed by Arthur D. Kidder, Associate Supervisor of Surveys, and Hugh B. Crawford, U. S. Transitman. The party is detailed for the purpose and the work is being done at the expense of the two States, under a decree of the Supreme Court of the United States (268 U. S. 108).

The portions of the boundary surveyed this year include the Preston line (2 $\frac{1}{2}$ miles) (1900) at the northeastern corner of New Mexico; and the Darling line (1868) across the southeastern points of the Mesa de Maya from the Macomb monument (the initial point) to the 21st mile corner; the Raton Mountains from the 51st to the 97th mile corner; and the west slope of the Snowy Range, the San Pedro Mesa and the San Luis Valley from the 127th mile corner to a point on the west rim of the canon of the Rio Grande on the 149th mile. This run (90 miles) added to the 30 miles over the mesa country east of the Raton Mountains, and the 30 miles over the crest of the Snowy Range, surveyed in the season of 1927, makes a total of 150 miles of completed work.

The party has maintained a very high percentage of identified monuments of the Darling and Preston surveys. This exceeds two-thirds of all original monuments, and establishes the position of the line to the Rio Grande without any question. Every interval of the boundary, as far as the Rio Grande, whether completed by Darling or only projected by long triangulations and not marked, has been identified as to location, and the true line surveyed, monumented and mapped all without regard to topographical difficulties, and all Carpenter monuments (1902) have been accurately connected and removed.

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ADJUSTMENT OF CLAIMS - LAKE COUNTY, FLORIDA.

During October, B. W. McLaughlin, W. S. Towner, and N. J. Moskowitz, as a committee appointed for the purpose, made examination and appraisal of the lands in T. 19 S., Rs. 26 and 27 E., Tal. M., that are subject to adjustment under the provisions of the act of May 21, 1928 (45 Stat. paper edition 619), and regulations contained in Circular No. 1164, approved September 22, 1928. The appraisements amounted to \$19,920, and cover numerous tracts comprising 1,118.02 acres, distributed over an approximate area of 43 square miles along the shores of several lakes in Lake County, Florida. Plats of resurvey of the lands, which were omitted from the original surveys, were filed in the United States land office, Gainesville, Florida, on November 1, 1928, on which date the lands became subject to filing of applications by claimants possessing the equities required by the act and regulations.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

November 28, 1928.

Registers,

United States Land Offices.

Sirs:

This office has recently been very much embarrassed by the failure of a register to forward directly to the Director of the Geological Survey, Washington, D. C., the duplicate petition for the designation of lands embraced in a stock raising homestead application, as required by the regulations contained in paragraph 12(d) of Circular No. 523, dated January 2, 1925. This rule was first put into effect on May 26, 1920, under Circular No. 697, so that all district land offices and the employees therein should be familiar therewith.

As a result of the failure of the register in the case referred to, the applicant was delayed for nearly two years in having action taken on his application.

You are therefore directed to use extreme care in such cases and to see to it that such petitions are forwarded as directed by the regulations.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1172

RULE OF PRACTICE 28 AMENDED.

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UNITED STATES

DEPARTMENT OF THE INTERIOR

General Land Office

Washington

1318075 "C" AJM.

November 3, 1928.

Registers,

U. S. Land Offices.

Gentlemen:

Your attention is called to departmental order dated October 26, 1928, which amended Rule 28 of the Rules of Practice, to read as follows:

"Rule 28. Testimony may, by order of the register and after such notice as he may direct, be taken before a United States commissioner or other officer authorized to administer oaths, at a time and place to be designated in a notice of such taking of testimony. The officer before whom such testimony is taken will, at the completion of the taking thereof, cause the same to be certified to, sealed, and transmitted to the register in the like manner as is provided with reference to depositions."

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1173.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

November 19, 1928.

To All Field Officers

of the General Land Office.

Gentlemen:

You are requested to submit to this office at once a list in quadruplicate of all books, papers, documents, etc., in the files of your respective offices which are no longer useful in the transaction of current business or valuable for historical or other purposes, and which may in your judgment be destroyed without detriment to the public interests. Give the inclusive dates and approximate number of each class of papers reported.

The information is desired for submission to Congress for its action under the act entitled "An Act to authorize and provide for the disposition of useless papers in the Executive Departments", approved February 16, 1889 (25 Stat. 672).

Each list submitted will be carefully examined by this office and if it is deemed advisable to retain any of the records reported they will be eliminated from the list before final report is made to the Department. If deemed advisable in connection with any of the papers reported for destruction you may submit a brief explanation as to why they are of no further value.

Nothing herein should be construed as granting authority for the destruction of any papers of any character whatsoever, and none of the papers reported should be disposed of until you have received advice from this office that Congress has authorized their destruction under the act of February 16, 1889.

Please give this matter your IMMEDIATE attention.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1174.

RELATIVE TO STATE TAX ON GASOLINE PURCHASED FOR GOVERNMENT USE AND
PAID FOR FROM PRIVATE FUNDS.UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

November 26, 1928.

Field Employees

of the General Land Office.

Sirs:

Supplementing Circular No. 1168 of October 4, 1928, relative to State tax on gasoline purchased for Government use and paid for from private funds, you are advised that no special form of receipt has been or will be provided, and that the duplicate as well as the original receipt should be on the regular subvoucher for travel and other expenses (Form 4-160).

Where it becomes necessary because of lack of private funds to purchase on credit gasoline for Government use, from a retail dealer who requires payment of the State tax, the dealer's voucher should be taken in duplicate on the regular form (Standard Form No. 1034), and in addition to showing the State, date, number of gallons, base price per gallon and tax per gallon, it must be shown that the purchase was not under contract and that contract was impracticable. The duplicate voucher, marked "duplicate," should accompany the original and usual memorandum copies to the disbursing officer, who will send it with his accounts to this office to be scheduled with duplicate receipts detached from reimbursement vouchers.

Small purchases of gasoline should be paid for from private funds where possible and reimbursement secured in accordance with Circular No. 1168, especially where the purchaser has to state a reimbursement voucher anyway.

Very respectfully,

WILLIAM SPRY,
Commissioner.

Circular No.: 1175:

CHIPPEWA AGRICULTURAL LANDS, MINNESOTA.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

November 23, 1928.

Register,

Cass Lake, Minnesota.

Sir:

I enclose herewith a schedule showing certain Chippewa lands, comprising 5,232.05 acres of "cut-over" lands in the Red Lake Reservation ceded under the act of January 14, 1889 (25 Stat. 642), which lands are to be disposed of to homestead entrymen and settlers in accordance with the provisions of section 6 of the act of January 14, 1889 (25 Stat. 642); section 4 of the act of May 23, 1908 (35 Stat. 268), as construed by Rule 5 of the regulations adopted May 17, 1910 (38 L. D. 594), by these regulations, and as modified by Public Resolution No. 29 of February 14, 1920, as amended by Public Resolution No. 36, approved January 21, 1922 (see Circular 822, 49 L. D. 1); and to townsite entrymen under the laws applicable thereto as provided in the act of February 9, 1903 (32 Stat. 820), as follows:

2. Preference Right of Ex-Service Men: The land shall be subject to entry only under the homestead laws, by ex-service men of the war with Germany, under the terms and conditions of said public resolutions and the regulations issued thereunder as set forth in said Circular No. 822 for a period of 91 days, beginning with the ninety-first day from the date hereof. They will be allowed to file their applications during the period of 20 days prior to the date fixed for opening the lands.

3. General Public: After the 91-day period fixed in paragraph numbered 2 during which ex-service men are entitled to make entry, any of said lands remaining unentered will be subject to appropriation under applicable laws, by the general public, in accordance with said Circular No. 822. Simultaneous filing period of 20 days for the general public will be immediately prior to such opening. Prior to the date of restoration to general disposition as herein provided, no rights may be acquired to said lands by settlement in advance of entry or otherwise.

4. Former service men should file certified copies of their certificates of discharge with their applications to enter or sworn statements as to their military service, and regardless of the specific service relied upon to support a preference right, such applicants must show by their affidavits whether they were ever drafted for service under the provisions of the Selective Service Act and refused to render such service or to wear the uniform of such service of the United States.

5. Homestead Qualifications: Homestead applicants for Chippewa lands must possess the necessary qualifications required in the case of ordinary homestead entries. Second and additional entries will be allowed under the laws and instructions governing such entries for public lands.

6. Payments: Each entryman is required, by the act of January 14, 1889, to pay for the lands entered upon, the sum of \$1.25 for each acre, such payment to be made in five equal annual installments.

The usual fee and commissions must be paid at the time of original entry and when the commutation or final payment and proof are made. You will not collect any payment for lands in excess of 160 acres embraced in any entry when the original entry is allowed, as the payment for such excess area will be included in the whole amount required to be paid in installments. (See instructions of August 17, 1901, 31 L. D. 72, and September 6, 1901, 31 L. D. 106.)

Under section 8 of the act of May 20, 1908 (35 Stat. 169), entrymen for lands in the former Red Lake Reservation will be required to pay a drainage charge of three cents per acre. In all entries made for the lands you will note on the application and receipt the following: "Subject to act of May 20, 1908." (See 36 L. D. 477.)

The right of commutation under section 2301, Revised Statutes, is extended to ceded Chippewa lands by the act of March 3, 1905 (33 Stat. 1005), and in case of commutation you will require the entryman to pay the final homestead commissions in addition to the purchase price of the land, \$1.25 per acre. (See 33 L. D. 551.)

7. Lands Erroneously Sold for Drainage: The following tracts are reported to have been sold by the State authorities under the act of May 20, 1908 (35 Stat. 169), viz:

T. 157 N., R. 31 W.,
Sec. 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 158 N., R. 32 W.,
Sec. 1, Lot 7 or SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 16, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 157 N., R. 33 W.,
Sec. 19, NE $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 20, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 159 N., R. 33 W.,

Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$,

Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,

Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,

Sec. 30, SE $\frac{1}{4}$ NE $\frac{1}{4}$,

Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$,

Sec. 33, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$,

Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$,

Sec. 35, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 157 N., R. 34 W.,

Sec. 23, S $\frac{1}{2}$ SE $\frac{1}{4}$,

Sec. 24, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 159 N., R. 36 W.,

Sec. 10, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,

Sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,

Sec. 12, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,

Sec. 13, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,

Sec. 14, NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,

Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$.

The sale of these lands prior to the date of opening to entry is not recognized by this office. Section 1 of the act of May 20, 1908 (above cited), provides in part as follows:

"That all lands in the State of Minnesota, when subject to entry, and all entered lands for which no final certificates have issued, are hereby made and declared to be subject to all of the provisions of the laws of said State relating to the drainage of swamp or overflowed lands for agricultural purposes * * *."

The lands above-described have never previously been subject to entry and, therefore, were not subject to sale under the law cited.

8. Notices for publication, as required by said section 6 of the act of January 14, 1889, have been forwarded to the newspapers in which they are to be published. You will post a copy of said notice in your office.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: November 23, 1928.

E. C. FINNEY,

First Assistant Secretary.

MEMORANDUM OF EFFECTIVE DATES IN ABOVE OPENING.

Date of order November 23 1928
 Soldiers' preference right from February 23 to May 25,
 inclusive 1929
 Soldiers' simultaneous filing period from February 2 to
 February 21, 1929
 Land opened to general disposition May 27 1929
 Simultaneous filing period for general public
 May 6, 1929, to May 25, 1929, inclusive.

Schedule of ceded Chippewa lands, Minnesota, opened to settlement and
 entry by Circular No. 1175 dated November 23, 1928.

	Acres.
T. 157 N., R. 31 W.,	
Sec. 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$	120.00
T. 158 N., R. 32 W.,	
Sec. 1, Lot 7 or SE $\frac{1}{4}$ SE $\frac{1}{4}$	32.54
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Sec. 16, SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
T. 157 N., R. 33 W.,	
Sec. 19, N $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
Sec. 20, NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$	80.00
Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$	80.00
T. 158 N., R. 33 W.,	
Sec. 13, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	120.00
Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
T. 159 N., R. 33 W.,	
Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$	520.00
Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
Sec. 30, SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$	80.00
Sec. 33, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$	400.00
Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$	480.00
Sec. 35, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$	120.00
T. 157 N., R. 34 W.,	
Sec. 23, S $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
Sec. 24, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	160.00
T. 158 N., R. 34 W.,	
Sec. 1, Lot 3 or NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$	119.51
Sec. 2, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
Sec. 25, NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Sec. 26, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	200.00
Sec. 27, E $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
Sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$	320.00
Sec. 36, SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00

	<u>Acres.</u>
T. 159 N., R. 36 W.,	
Sec. 10, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
Sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$	440.00
Sec. 12, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$	360.00
Sec. 13, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$	120.00
Sec. 14, NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$	400.00
Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$	80.00
Total acreage opened	5,192.05

DEPARTMENT OF THE INTERIOR,
General Land Office.

I respectfully recommend that the foregoing schedules of ceded Chippewa lands, embracing lands classified as agricultural under the act of January 14, 1889 (25 Stat. 642), "cut-over" lands subject to homestead entry under the act of May 23, 1908 (35 Stat. 268), be approved.

WILLIAM SPRY,

Commissioner,

Approved: November 23, 1928.

E. C. FINNEY,

First Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

- - - O - - -

Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(43)
COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

RESTORATION FROM RECLAMATION WITHDRAWAL.

Two hundred and forty acres will be opened to homestead and desert-land entry beginning November 29, 1928, for a period of 91 days to ex-service men of the World War subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the United States land office at Pueblo, Colorado, during the 20 days preceding that date or from November 9 to November 28, 1928, inclusive. All conflicts up to 9 a. m. on November 29, 1928, will be decided by drawing. Any lands remaining unentered at the expiration of the 91-day period or beginning February 28, 1929, will be open to entry under any applicable public land law by the general public. Cotopaxi on the Denver & Rio Grande Railroad appears to be the nearest town to the lands which are in Fremont County, in Sec. 6, T. 47 N., R. 12 E., and Sec. 31, T. 48 N., R. 12 E., N. M. P. M.

EFFECTIVE DATES.

Soldiers' simultaneous filing period:

November 9 to November 28, 1928, inclusive.

Preference period for ex-service men:

November 29, 1928, to February 27, 1929, inclusive.

Simultaneous filing period for public:

February 8 to February 27, 1929, inclusive.

Lands open to general public: February 28, 1929.

(44)
ARIZONA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 69,000 acres of unreserved, unappropriated public land in Yuma County, Arizona, will be opened to homestead and desert-land entry on December 21, 1928, at 9 a. m. at the United States land office, Phoenix, Arizona, through the filing of the plats of survey of Ts. 1 and 3 N., R. 14 W., and T. 5 N., R. 16 W., G. & S. R. M., Arizona.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to December 21, 1928, and applications so presented will be treated as though simultaneously filed at 9 a. m. on the opening date.

On March 22, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition and applications so received will be treated as though simultaneously filed at 9 a. m. on March 22, 1929.

T. 1 N., R. 14 W., G. & S. R. M.--About three-fourths of this township is of volcanic mountainous formation, the remainder is gently rolling or level. The soil is sandy loam, gravelly and stony. Timber consists of scrub palo verde and ironwood of no commercial value. There is an undergrowth of creosote brush, ocotillo, cholla cactus, and some sagebrush on the level land, with a few scattering giant cactus in the township. There is a small water hole in the $S\frac{1}{2}$ of Sec. 35. There are indications of mineral in Secs. 30 and 31. There are no settlers in the township.

T. 3 N., R. 14 W., G. & S. R. M.--The character of the land is nearly level with the exception of Secs. 1, 2, and 12, which are partially mountainous. The Bouse Wash follows a generally northwesterly course through the township. It has no well-defined channel. In periods of heavy rains the water spreads over a large portion of the township. The soil is stony, sandy loam, and adobe. There is no timber, but undergrowth of creosote brush, scrub mesquite, palo verde, and ironwood, and a scattering growth of bunch grass on the overflow land. There is no evidence of mineral.

T. 5 N., R. 16 W., G. & S. R. M.--The land is nearly level; the soil sandy loam, adobe, and gravelly. There is no timber of any commercial value. There is an undergrowth of creosote brush, ocotillo, scrub mesquite, palo verde, ironwood and catclaw, with some bunch grass on the overflow land near Bouse Wash which follows a northwesterly course from the east boundary of Sec. 24 to the north boundary of Sec. 4. This wash has no well-defined channel in the township. No indication of mineral was noted.

(45)
OREGON:
UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 6,000 acres in the southern part of Oregon in Klamath County will be opened to homestead and desert-land entry beginning November 28, 1928, for a period of 91 days to ex-service men of the World War subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the United States land office at Lakeview, Oregon, during the 20 days preceding that date or from November 8 to November 27, 1928, inclusive. All conflicts up to 9 a. m. November 28, 1928, will be decided by drawing. Any lands remaining unentered at the expiration of the 91-day period or beginning February 27, 1929, will be open to entry under any applicable public land law by the general public. Available information indicates that the lands are rolling or hilly; soil, second rate adapted to agriculture; climate equable. The city of Klamath Falls, Oregon, on the Southern Pacific Railroad appears to be in the line of the lands to be opened and which range from T. 33 S., R. 6 E., to T. 40 S., R. 14 E., W. M.

EFFECTIVE DATES.

Soldiers' simultaneous filing period:

November 8 to November 27, 1928, inclusive.

Preference period for ex-service men:

November 28, 1928, to February 26, 1929, inclusive.

Simultaneous filing period for public:

February 7 to February 26, 1929, inclusive.

Lands open to general public: February 27, 1929.

(46)

CALIFORNIA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 12,000 acres in the extreme northern part of California in Siskiyou and Modoc Counties will be opened to homestead and desert-land entry beginning November 28, 1928, for a period of 91 days to ex-service men of the World War subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the United States land office at Sacramento, California, during the 20 days preceding that date, or from November 8, 1928, to November 27, 1928, inclusive. All conflicts up to 9 a. m. November 28, 1928, will be decided by drawing. Any lands remaining unentered at the expiration of the 91-day period or beginning February 27, 1929, will be open to entry under any applicable public land law by the general public. Available information indicates that the lands are mostly hilly or mountainous and the soil third rate, but that the lands in former lake beds are very productive. Some lands in Oregon are also to be opened to entry on the same dates and the city of Klamath Falls, Oregon, on the Southern Pacific Railroad is in about the center of the tracts to be opened to entry and which in California range from T. 46 N., R. 4 E., to T. 47 N., R. 8 E., M. D. M.

EFFECTIVE DATES.

Soldiers' simultaneous filing period:

November 8 to November 27, 1928, inclusive.

Preference period for ex-service men:

November 28, 1928, to February 26, 1929, inclusive.

Simultaneous filing period for public:

February 7 to February 26, 1929, inclusive.

Lands open to general public: February 27, 1929.

47)

NEVADA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 70,000 acres of unsurveyed, unappropriated public lands in Nye and Eureka counties, Nevada, will be opened to homestead and desert-land entry on January 10, 1929, at 9 a. m. at the United States land office, Carson City, Nevada, through the filing of the plats of survey of Ts. 14 and 15 N., Rs. 50 and 51 E., M. D. M., Nevada.

Portions of Ts. 14 and 15 N., R. 50 E., are in the Toiyaba National Forest and not subject to appropriation under the general public land laws, except in the case of valid adverse claims initiated prior to the date when the lands were first withdrawn for forest purposes.

Portions of the lands in Ts. 14 and 15 N., R. 50 E., are embraced in a stock driveway withdrawal and will not be subject to appropriation under the general land laws, except in the case of valid adverse claims initiated prior to the date when these lands were first withdrawn for stock driveway purposes.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved lands. These parties may present their applications at any time within 20 days prior to January 10, 1929, and applications so filed will be treated as though simultaneously filed at 9 a. m. on the opening date.

On April 11, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be filed at any time during the 20-day period prior to the date when the land is opened for general disposition and applications so presented will be treated as though simultaneously filed at 9 a. m. on April 11, 1929.

T. 14 N., R. 50 E., M.D.M.--Land: mountainous, ranging in elevation from 5,000 to 10,000 feet above sea level, except in the head of Antelope Valley in the north central portion of the township. Soil: fine grained clay containing much gravel and rock, shallow on higher slopes with many outcroppings of granite and basalt. Timber: heavy growth of scrub mahogany, pinon pine, juniper, and aspen of no commercial value except for fence posts and fuel. Undergrowth: medium black sage over the entire township, and scattering buckbrush on the higher slopes. Except for a small area in Secs. 3 and 4, the township is suitable only for grazing purposes. There is a good growth of grass over the entire township and the springs located in various parts of the township supply plenty of water for the number of stock which can be grazed on the area. There is a limited amount of water available for irrigation purposes in Secs. 3 and 4. No mineral indications were observed in the township.

T. 15 N., R. 50 E., M.D.M.--Land: this township is situated in the extreme southern end of Antelope Valley. The land in the eastern and western portions of the township is high and mountainous, descending abruptly to the nearly level land in the valley. Soil: on the higher land, shallow rocky and gravelly clay; in the valley, gravelly clay of medium texture. Timber: dense pine, juniper, and mahogany with scattering clumps of aspen in the mountainous portions of the township. This timber has no commercial value except for fence posts and fuel. Undergrowth: sage, buckbrush and a fair growth of grass in the mountains. White sage, with dense black sage along the main washes, and scant growth of grass in Antelope Valley. The township is principally valuable for grazing purposes. There is a very limited supply of water available for irrigation purposes. No mineral indications were noted.

T. 14 N., R. 51 E., M.D.M.--Land: rough and mountainous except in the east range of sections and in portions of Secs. 11, 34, and 35, which are comparatively level. Soil: shallow, rocky loam on the slopes with rich black loam from 3 to 5 feet deep in the draws. Timber: generally small, scrubby juniper, pine and mahogany, with some aspen in the upper parts of the principal draws; a few large pine trees near the summits of the ridges were noted. Undergrowth: sagebrush, buckbrush and bunch grass, the latter of which affords an excellent summer range for sheep. There are several intermittent creeks and numerous small springs and seeps in the township. The largest springs are Cockalorum in Sec. 23, and number 4 in Sec. 3. No evidence of mineral in commercial quantities was noted.

T. 15 N., R. 51 E., M.D.M.--Land: low, rolling hills in eastern portion. High, rugged mountains forming the divide between Little Smokey Valley and Antelope Valley in the western portion. Soil: very rocky on the mountain slopes; sandy loam in the washes. Timber: small, scrubby juniper, pinon, and mahogany, increasing in size in the higher elevations. There are a few long-life pine trees on the Divide. Undergrowth: principally sagebrush with shad scale in the draws and bunchgrass and mountain rush on the higher slopes. There is an abundance of water for stock and household uses in the various streams and springs throughout the township. No indication of mineral is noted.

(48)
COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 8,500 acres of unappropriated, unreserved public land in Fremont County, Colorado, will be opened to homestead and desert-land entry on December 11, 1928, at 9 a. m. at the United States land office, Pueblo, Colorado, through the filing of the plat of resurvey of T. 50 N., R. 12 E., N. M. P. M., Colorado.

Qualified former service men of the World War, and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to December 11, 1928, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On March 12, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications on the part of the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition and applications so received will be treated as though filed simultaneously at 9 a. m. on the opening date.

The land in the north half of the township consists of extremely rough and rocky mountains, attaining a maximum elevation of 11,686 feet above sea level. In the south half of the township there are generally rolling mountains with areas in the gulch bottoms and draws which are capable of cultivation. The soil is generally stony and rocky except for small areas in the southern portion of the township, which are free from rock and are under cultivation. Timber consists of heavy aspen, spruce, pine, and fir in the northern half of the township, some of which would be of commercial value were its location not almost inaccessible. The southern half of the township is nearly all covered by valid or patented entries. The principal industry is stock raising. No indication of mineral was noted.

(49)

COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 4,100 acres of unsurveyed, unappropriated lands in La Plata County, Colorado, will be opened to homestead and desert-land entry on December 11, 1928, at 9 a. m. at the United States land office, Pueblo, Colorado, through the filing of the plat of survey of a portion of T. 32 N., R. 9 W., N. M. P. M., Colorado.

The lands in the township have been classified as coal land and entries under the agricultural public land laws for lands therein must be made subject to the conditions, provisions, and reservations of the act of June 22, 1910 (36 Stat. 583).

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to December 11, 1928, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On March 12, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. These parties may present their applications at any time within 20 days prior to March 12, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

The character of the land is rough, broken, and mountainous. The soil is rocky, furnishing a small amount of grazing. The only water in this part of the township is in a small spring in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 15, and the Las Animas River, which flows through Sec. 19. Timber on the land consists of cedar, pinyon, spruce, and yellow pine. No indication of minerals was noted.

(50)
CALIFORNIA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 4,500 acres of unreserved, unappropriated public land in Santa Barbara and Ventura counties, California, will be opened to homestead and desert-land entry on December 27, 1928, at 9 a. m. at the United States land office, Sacramento, California, through the filing of the plat of resurvey of T. 9 N., R. 24 W., S. B. M., California.

The greater portion of the township is within the limits of the Santa Barbara National Forest and these lands will not be subject to appropriation under the general public land laws except in the case of valid adverse claims initiated prior to the date when the lands were first withdrawn for forest purposes.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to December 27, 1928, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On March 28, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on March 28, 1929.

The surface of the land in this township varies from rolling level land in the Cuyama and Quatal creek valleys to rolling and broken mesa land and rough mountainous slopes. Elevation ranges from 2,000 feet in the lower Cuyama valley to 4,200 feet on the divide along the east boundary of the township. The soil is clay loam in the valleys and rocky for the mountainous land. Sagebrush and fox-tail grass are found on the level and rolling land with oak brush, manzanita, and scrub juniper on the mountain slopes and a few scattering pine trees on the higher slopes. The township is without water except for the spring seasonal drainage in the valleys. Springs in Secs. 2 and 12 furnish stock water. All the best land is filed upon and used for stock feed crops. Grazing is allowed in the Forest Reserve. There are no mineral indications. Oil is thought to be at about 3,000 feet depth, but no wells have been sunk.

(51)

WASHINGTON:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

(58)

100-10070

EXCLUDED FROM FOREST RESERVATION.

About 12,660 acres, consisting chiefly of scattered tracts, in T. 38 N., R. 23 E., Ts. 33 and 39 N., R. 24 E., Ts. 33, 34, 37, 38, 39, and 40 N., R. 25 E., and T. 37 N., R. 26 E., in Okanogan County, Spokane land district, opened to entry only by ex-service men of the World War under the homestead and desert-land laws for a period of 91 days, beginning December 27, 1928. Applications of such ex-service men may be presented at the United States land office at Spokane during the 20 days prior to that date. On and after March 28, 1929, the remaining unentered land will be subject to appropriation under any applicable public land law by the general public.

The lands have been excluded from the Chelan National Forest, having been found not valuable for forest purposes. Further information, if desired, may be obtained from the United States land office at Spokane, Washington.

(52)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

WYOMING:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 400 acres in Goshen County, Wyoming, will be opened to homestead and desert-land entry beginning December 26, 1928, for a period of 91 days to ex-service men of the World War subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the United States land office at Cheyenne, Wyoming, during the 20 days preceding that date or from December 5, 1928, to December 25, 1928, inclusive. All conflicts up to 9 a. m., December 26, 1928, will be decided by drawing. Any lands remaining unentered at the expiration of 91-day period or beginning March 27, 1929, will be open to entry under any applicable public land law by the general public. Available information indicates that the lands are gently rolling and the soil sandy and dry. The Union Pacific Railroad is about 7 miles to the north.

EFFECTIVE DATES.

Soldiers simultaneous filing period December 5, to 25, 1928, inclusive.

Preference period for ex-service men December 26, 1928, to March 26, 1929, inclusive.

Simultaneous filing period for public March 7, to 26, 1929, inclusive.

Lands open to general public March 27, 1929.

Approved: November 20, 1928.

WILLIAM SPRY,

Commissioner.

(53)

WYOMING.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY.

By order of the Department dated November 17, 1928, that portion of T. 6 N., R. 6 E., W. R. M., approximately 3,975.73 acres, for which the plat of survey was officially filed in the district land office at Cheyenne, Wyoming; on October 5, 1928, was opened to entry only by ex-service men of the World War under the homestead laws and the act of March 3, 1905 (33 Stat. 1016), for a period of 91 days, beginning December 15, 1928. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after March 16, 1929, the land, if unentered, will be subject to disposition under any applicable public land law by the general public.

The land is within the former Shoshone or Wind River Indian Reservation and entrymen are required to pay the Indian price of the land. Further information, if desired, may be obtained from the United States land office at Cheyenne, Wyoming.

(54)
IDAHO:

RESTORATION FROM RECLAMATION WITHDRAWAL.

Lots 7 and 8, Sec. 26, T. 15 N., R. 43 E., B. M., containing 67.4 acres in Fremont County will be opened to homestead and desert-land entry beginning January 2, 1929, for a period of 91 days to ex-service men of the World War subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men to the United States land office at Blackfoot, Idaho, during the 20 days preceding that date or from December 12, 1928, to 9 a. m. January 2, 1929, inclusive. All filings up to 9 a. m. January 2, 1929, will be decided by drawing. Any lands remaining unentered at the expiration of the 91-day period or beginning April 3, 1929, will be open to entry under any applicable public land law by the general public. Available information indicates that the lands although perhaps agricultural in character, are at a great altitude, probably 6,500 feet.

EFFECTIVE DATES.

Soldiers simultaneous filing period from December 12, 1928, to 9 a. m. January 2, 1929, inclusive.

Preference period for ex-service men from January 2, 1929, to April 2, 1929, inclusive.

Simultaneous filing period for public from March 14 to April 2, 1929, inclusive.

Lands open to general public April 3, 1929.

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(55)
MONTANA:

RELEASED FROM WITHDRAWAL.

One hundred and sixty acres in Sec. 34, T. 2 N., R. 9 W., P. M., in Silver Bow County, Great Falls land district, opened to entry only by ex-service men of the World War under the homestead and desert-land laws for a period of 91 days, beginning January 26, 1929. Applications of such ex-service men may be presented at the United States land office at Great Falls during the 20 days prior to that date. On and after April 27, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been released from withdrawal for ranger station purposes. Further information, if desired, may be obtained from the United States land office at Great Falls, Montana.

MEMORANDUM.

The plat of survey of Rogers Island in the Big Popo Agie River, in Secs. 35 and 36, T. 34 N., R. 99 W., 6th P. M., Wyoming, will be officially filed in the United States land office at Cheyenne, Wyoming, at 9 a. m. on January 2, 1929. Owing to the small area involved, 66.38 acres, no notice has been prepared for distribution in Washington.

November 27, 1928.

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RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

The trust period on certain allotments made to Indians of the Lower Brule Reservation in South Dakota, which would have expired in 1928, has been extended for ten years by order of October 20.

Under proclamation of October 27 the title to certain lands owned by the United States in the Territory of Hawaii was transferred to said Territory for use for public purposes.

By order of November 2 the therein described lots and blocks in Osborn townsite, within the Huntley Irrigation District on the ceded Crow Indian lands, Montana, were withdrawn for use by the Department of Agriculture as an agricultural field station.

By order of November 2 a tract of land at Rockaway Point, Long Island, New York, has been reserved for use by the War Department in connection with the Fort Tilden Military Reservation.

The executive order creating Public Water Reserve No. 3, Wyoming No. 2, has been modified by order of November 3 in order to approve the application by the Union Pacific Railroad Company for a right of way over the lands covered by said water reserve.

By order of November 3 the public lands in T. 13 S., R. 8 E., S. L. M., Utah, have been released from resurvey withdrawal and restored.

By order of November 17 a tract of land in the Inyo National Forest, California, has been withdrawn in order to afford further protection to the hot springs located thereon.

By order of November 24 a tract of 160 acres was released from withdrawal for ranger station purposes and restored.

OIL AND GAS ACTIVITIES.

During the month of November the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 387 new applications and 4,157 applications for reconsideration. Permits were granted on 337 applications; 72 applications were finally rejected and closed and 5 were finally rejected on drawings; 177 applications were finally rejected in part; 310 applications were rejected subject to appeal and 15 appeals were transmitted to the Secretary; 7 departmental decisions were promulgated, 6 affirming this office and 1 remanding the case for further action; 31 assignments were disposed of, and 422 applications for extensions of time were acted upon; 93 permits were held for cancellation and 374 permits canceled; 1,387 applications are awaiting reports from the Geological Survey and 52 from the Reclamation Bureau, and 482 new cases are awaiting Survey reports. 3,386 letters were written of which 222 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 12 leases involving 7 cases were transmitted to the Secretary for authorization, 3 leases involving 2 cases were mailed to lessees for execution and return, 3 leases involving 3 cases were forwarded to the Department for execution, and 5 leases involving 3 cases were delivered during the month to lessees; 2 lease applications were rejected subject to appeal; 3 applications for reduction in royalty were acted upon and 3 sales contracts involving 2 cases were considered; 15 assignments involving 14 cases were disposed of, and action taken on 11 applications for extensions of time; 3 leases were held for cancellation and 2 leases were transmitted to the Department recommending cancellation; 1 drilling contract was submitted to the Department for approval, and action in 3 cases involving bonds was taken.

On November 8, 1928, following similar action on October 13 with respect to the Salt Creek Royalty Oil contract, the Attorney General held that the contract with the Lewistown Oil and Refining Company for the purchase of the Government's royalty oil in the Cat Creek oil field, Montana, had no binding effect upon the United States. Consequently, on November 14, 1928, all lessees in this field were advised that, beginning Monday, November 19, and until January 31, 1929, the Government would take its royalty in value (cash) on the basis of at least 40 cents above Midcontinent posted price for oil of 39° gravity with 2 per cent deduction standard barrels. This action was followed on November 21 by the call for bids to purchase the royalty oil, the sale to be held January 2, 1929, in the Department of the Interior, bids being received by mail.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of October were \$337,645.73, all from lands outside of naval petroleum reserve.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR MONTH OF OCTOBER, 1928.

Office.	Business of current month.				Pending at end of month.			
	Applications, proofs, etc., received.	Receipts, final certificates issued and miscellaneous.	General Land Office letters received.	Contest cases initiated.	Total.	Pending designation.	Suspended, rejected, or otherwise.	Pending unacted on by Register.
Alaska	23	147	58		228			11
Anchorage								
Arizona	285	1,067	300	25	1,677	154	138	
Phoenix								
Arkansas	67	731	49	4	851		50	
Little Rock								
California	216	998	204	15	1,433	85	139	
Los Angeles	158	1,811	240	10	2,219	151	217	
Sacramento								
Colorado								
Denver	184	1,727	399	6	2,316	409	575	
Pueblo	89	807	181	5	1,082	131	104	
Florida								
Gainesville	28	585	86	10	709		15	
Idaho								
Blackfoot	113							
Coeur d'Alene	14	1,052	96	3	1,264	166	231	
Minnesota		186	24	2	226	9	23	
Cass Lake	44	339	42	1	426		15	
Montana								
Billings	523	1,994	240	4	2,761	236	238	5
Great Falls	388	2,174	342	9	2,913	136	471	
Nebraska								
Alliance	15	240	28	1	284	18	6	
Nevada								
Carson City	34	646	226	1	907	73	44	
New Mexico								
Las Cruces	331	1,175	365	12	1,883	124	365	
Santa Fe	343	1,420	364	25	2,152	179	364	

North Dakota	27	466	45	2	540	16	26
Bismarck							
Oregon	33	176	33	4	242	44	62
Lakeview	92	929	48	1	1,073	6	66
Roseburg	72	1,071	74		1,218	105	51
The Dalles							
South Dakota	75	710	109	3	897	45	34
Pierre							
Utah	192	1,275	252	9	1,728	452	253
Salt Lake City							
Washington	29	517	88	2	636	28	35
Spokane							
Wyoming	229	1,323	267	12	1,831	187	191
Buffalo	374	1,583	529	7	2,493	288	372
Cheyenne	155	684	378		1,217	63	114
Evanston							
Total	4,133	25,833	5,067	173	35,206	3,105	4,199
							16

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

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LAND SERVICE BULLETIN DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12

January 1, 1929

No. 11.

OREGON AND CALIFORNIA TAX UNIT.

During the month of December two claims for the year 1927 were certified under the act of July 13, 1926 (44 Stat., 915), amounting to \$24,519.89. Disallowed \$574.66. A total of 15 claims for the year 1927 have been certified in the amount of \$565,487.48, with net disallowances of \$1,072.92. Two 1927 claims are pending for \$12,301.23, and one 1926 claim for \$4,446.58.

---- 0 ----

THE ANNUAL REVIEW.

The following items concerning the work of the General Land Office are taken from the report of the Secretary of the Interior for the year ended June 30, 1928:

There remain approximately 194,000,000 acres of unappropriated public lands in the United States, exclusive of the Territory of Alaska.

Total receipts for the year were \$6,710,454.84, which was deposited in the Treasury to be distributed as follows: General fund, \$1,290,895.09; public land States, \$1,845,742.48; Indian tribes, \$461,854.29; reclamation fund, \$3,111,962.98.

Total expenditures for the conduct of the business of the General Land Office and its field activities amounted to \$2,190,197.57.

An average force of 72 field examiners, exclusive of 7 chiefs of field division, was maintained during the year, and 17,657 cases were investigated and reported upon.

There were accepted and placed on file plats representing 1,571,917 acres of original surveys of public lands, and 1,365,771 acres of lands resurveyed. In the field surveys were made amounting to 19,317 linear miles in 22 public land States and the Territory of Alaska, under 257 groups.

The map of the United States, edition of 1927, was printed, State maps of New Mexico and Michigan printed and issued, and maps of Minnesota and the north half of California placed in the hands of the contractor for printing.

Original entries were allowed for public and Indian lands to the amount of 3,726,421 acres as against 3,594,838 acres the previous year. Patents were issued covering 2,477,867 acres.

Public lands to the extent of 938,829 acres were placed in a state of reservation, either by Executive or departmental order, under various applicable acts, and 776,573 acres theretofore reserved were restored to entry or other proper disposition.

The work of adjusting 11 railroad land grants was completed, and 3 other adjustments progressed rapidly. This work necessitated a careful tract book, survey plat and grant plat examination of each smallest legal subdivision in 21,765,818.43 acres of granted and indemnity land.

Sales of timber from the revested Oregon and California Railroad lands amounted to \$490,445, making total sales to date \$4,581,338.42; from Coos Bay lands \$82,460, making total sales to date \$1,169,747.54.

There were examined and audited claims of certain counties in Oregon for amounts in lieu of taxes on revested Oregon and California Railroad grant lands under the act of July 13, 1926 (44 Stat., 915), as follows: For the years 1916 to 1925, inclusive, allowed for \$325,516.23 and rejected for \$172,297.36; for the year 1926 various claims were allowed for \$585,461.46, and rejected for \$26,884.03. Eleven claims in the total amount of \$435,082.55 for the year 1927 were received, of which 7 were allowed for \$281,382, and rejected for \$151.66.

Under the relief sections of the mineral leasing act of February 25, 1920, 2 permits and 40 leases were granted. Under section 14, authorizing leases to permittees who show a discovery of oil or gas, 36 leases were issued. Under section 17 public sale was had of two leases, one in the Kern River field, California, and the other in the Alkali Butte field, Wyoming, on which bonuses were paid amounting to \$672,500. Under sections 13 and 20 permits were granted on 4,402 applications.

Mineral entries to the number of 1,367 were received during the year; 85 potash and 14 sodium permits were issued; also 83 coal prospecting permits and 37 coal leases.

SURVEY NOTES.

Transparent Overprints.--This office has recently accepted the dependent resurvey and survey of accretion, T. 5 N., R. 9 E., La. M., Group 11, Louisiana, dependent resurvey and survey of accretion, T. 5 N., R. 4 W., Wash. M., Group 1, Mississippi, dependent resurvey and extension survey, T. 44 N., R. 4 W., 4th P. M., Group 20, Wisconsin, completion survey, T. 36 S., R. 4 W., S. L. M., Group 146, Utah, and the surveys in T. 9 S., R. 19 E., T. 10 S., R. 19 E., T. 23 S., R. 18 E., T. 8 S., R. 20 E., T. 11 S., R. 20 E., G. & S. R. M., Group 142, Arizona.

These returns were prepared for reproduction with transparent color overprints and are the first surveys of this class accepted by this office in which the returns have been so prepared in accordance with Chapter IX of the Manual. The plats have been reproduced, and the color overprints accomplish in a satisfactory manner the purpose to be served of showing heavy or complicated topographic features without obscuring the technical data.

Cooperative Surveys, Montana.--Under date of December 30, 1928, this office accepted the surveys in T. 10 N., R. 2 E., T. 11 N., Rs. 1 and 2 E., and Ts. 11 and 12 N., R. 1 W., P. M., Group 266, Montana. The cadastral survey of these townships, within the Helena National Forest was executed by engineers of this service, while topographic data, sufficient to prepare a contour overprint was taken by the Forest Service. The plats of these surveys will be reproduced with the relief shown by contours in brown.

Group 185, New Mexico.--The dependent resurvey of Sec. 36, T. 24 S., R. 24 E., and Sec. 31, T. 24 S., R. 25 E., N. M. P. M., New Mexico, was accepted by this office on December 12, 1928. The resurvey of these sections was made at the request of the National Park Service for the purpose of defining the boundaries of the Carlsbad Cave National Monument. The Director, National Park Service, in requesting this survey stated that extensive improvements were being made and as the number of visitors was rapidly increasing, it was of the greatest importance to determine the actual boundaries of the Monument in order that proper care and protection may be given to it.

Surveys in Florida.--Special instructions for the investigation preliminary to resurvey of Ts. 14 and 15 S., R. 25 E. have been approved and field work will be undertaken during the coming winter field season. This resurvey is a part of the cooperative program of surveys and resurveys being made at the request of the Forest Service.

The reestablishment of the east boundary of T. 31 S., R. 35 E., under the act of September 21, 1918, upon application by interested parties is an important item of the winter program which will require extensive preliminary investigation. Title to an exceptionally valuable area of cypress timber is dependent upon the determination of the true position of this boundary. Special instructions have also been approved for the resurvey of lot 8, Sec. 26, T. 66 S., R. 27 E., on Sugar Loaf Key northeast of Key West.

A BOOST.

A particularly pleasing letter of commendation was recently received by the Commissioner from an attorney in Idaho, an extract from which follows:

A few weeks ago, needing some photostatic copies of documents on file in the Land Office, I wired my brother, on Friday evening, requesting that he go to the Land Office on Saturday morning and, if possible, secure them that day, mailing them by air mail, as I required to use them in a court case on Tuesday morning. Much to my surprise and pleasure, the copies were delivered to my home Monday evening, having been sent by air mail and special delivery, the Land Office having been kind enough to get them in the mail on Saturday. The attending speed and the dispatch are simply remarkable, and it has been a pleasure to inform my friends of such wonderful service."

Letters of this character make good service a pleasure and inspire its continuance.

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RECENT DEPARTMENTAL DECISIONS.SOUTHERN PACIFIC RAILROAD COMPANY.

(Decided by First Assistant Secretary Finney, July 9, 1928.)

HEARING--EVIDENCE--TESTIMONY--WITNESSES--RESIDENCE--STATUTES.

Section 4 of the act of January 31, 1903, applies only to the taking of testimony of a witness or witnesses who reside "outside the county in which the hearing occurs."

HEARING--EVIDENCE--TESTIMONY--WITNESSES--COSTS.

When witnesses of both parties are assembled under authority of the act of January 31, 1903, and then in reality the hearing is held, each party must pay the cost of taking the direct examination of his own witnesses and the cross examination on his behalf of other witnesses, just the same as when hearing is held before the local land officers.

HEARING--EVIDENCE--TESTIMONY--WITNESSES--DEPOSITION--COSTS--RESIDENCE--STATUTES.

Whether the entire costs of taking testimony of witnesses subpoenaed under the act of January 31, 1903, should be paid by the party producing such witnesses, depends upon whether the deposition is of a witness who resides outside the county in which the hearing is held, and whether the mode prescribed in sections 4 and 5 of the act for obtaining such testimony theretofore has been pursued.

HEARING--CONTINUANCE.

Defendants in land proceedings should not be compelled to combat a case piecemeal because it is brought by the Government, except by stipulation or proper showing satisfactory to the register that the public interest requires a continuance.

MINING CLAIM--RAILROAD GRANT--DISCOVERY--EVIDENCE--PRESUMPTION--BURDEN OF PROOF.

Where in the case of a lode mining claim in partial conflict with a railroad grant, discovery is made of a vein or lode on such claim without the boundaries of the grant, the presumption is that the vein extends to the limits of the location and the burden is upon the railroad grantee to overcome the presumption.

HEARING--EVIDENCE--DEPOSITION--WITNESSES--RESIDENCE--STATUTES.

Where witnesses are assembled in a hearing under the act of January 31, 1903, and one of the witnesses resides outside of the county in which the hearing occurs, his deposition may be taken under section 4 of that act in the county where he resides regardless of the fact that the local land office is situated in that county.

Los Angeles 024247.

Contest 5210.

CHAFFIN v. BOHLKE.

(Decided by First Assistant Secretary Finney, July 31, 1928.)

CONTEST--CONTESTANT--PREFERENCE RIGHT--LAND DEPARTMENT--STOCK-RAISING HOMESTEAD.

A contestant does not gain a preference right where the entry under attack is canceled not as the result of the contest but upon adverse proceedings previously instituted by the Land Department upon a charge substantially the same as that upon which the contest was predicated.

Phoenix 057353.

CLAUDE M. ALBRECHT.

(Decided by First Assistant Secretary Finney, August 8, 1928.)

REPAYMENT--DESERT LAND--FINAL PROOF--RELINQUISHMENT--STATUTE OF LIMITATION.

Where a desert-land entryman withdrew his final proof, but permitted the money paid for the land to remain in the possession of the United States to his credit pending the submission of new proof, and thereafter relinquished his entry before the expiration of the period of extension granted for that purpose, the limitation fixed by section 1 of the act of December 11, 1919, began to run from the date of the relinquishment, not from the date when the proof was withdrawn.

Salt Lake City 010801.

FRED B. ORTMAN.

(Decided by First Assistant Secretary Finney, August 10, 1928.)

MINING CLAIM--LODE CLAIM--PLACER CLAIM--PLAT--NOTICE--EVIDENCE.

The fact that a mining claim was located in the shape and had the usual dimensions of a lode and that the mineral surveyor characterized it as a lode on an official plat is not conclusive that it was the intention to make a lode location where the propriety of locating the land as placer ground is not questioned and the recorded notice of location described it as a placer claim.

MINING CLAIM--LODE CLAIM--PLACER CLAIM--AMENDMENT.

For the purpose of curing imperfections in the original location, correcting errors or supplying omissions, the same latitude of amendment should be allowed in the case of placers as in lodes.

MINING CLAIM--PLACER CLAIM--AMENDMENT.

A placer location which was defective and not subject to entry and patent in its original form because of nonconformity with the United States system of public-land surveys as required by section 2331, Revised Statutes, is not void, but the defect, in the absence of an adverse claim to the added land, is curable either by suitable amendment or by relocation, provided that the acreage limitation of the statute be observed.

MINING CLAIM--IMPROVEMENTS--ANNUAL ASSESSMENT WORK--EXPENDITURES--

TUNNEL--GROUP DEVELOPMENT.

A tunnel constructed for the purpose of developing and facilitating the extraction of the sole deposit covered by a single mining location which due to erroneous or faulty description is subsequently amended or relocated and included in two claims may be accepted as a common improvement and its cost accredited to the development of both claims.

Sacramento 022011.

CARL A. WILLIAMS.

(Decided by First Assistant Secretary Finney, August 10, 1928.)

HOMESTEAD ENTRY--ADJOINING FARM ENTRY--APPLICATION--RESIDENCE--CULTIVATION.

One who makes an adjoining farm homestead entry may be allowed credit for residence on the original farm from the date of the filing of the application therefor, provided that the law as to cultivation is met.

HOMESTEAD ENTRY--RESIDENCE--MILITARY SERVICE.

An entryman who enlisted and served 90 days during the war with Germany and her allies is entitled under section 2305, Revised Statutes, as amended, to credit for the full period of his service under that enlistment, although such term did not expire until after the war ceased.

DEPARTMENTAL DECISIONS OVERRULED--DEPARTMENTAL REGULATIONS MODIFIED.

Cases of William C. Field (1 L. D. 68), and John W. Farrill (13 L. D. 713), overruled so far as in conflict; paragraph 15, "Suggestions to Homesteaders," Circular No. 541 (48 L. D. 389), modified.

Baton Rouge 010670.

RICHARDSON v. SEAFOAM MINES CORPORATION.

(Decided by First Assistant Secretary Finney, August 11, 1928.)

MINING CLAIM--ADVERSE CLAIM--POSSESSION--COURTS--JURISDICTION--NOTICE.

When a suit to determine the right of possession to a mining claim in alleged conflict is instituted within the time prescribed by section 2326, Revised Statutes, exclusive jurisdiction thereover is vested in the court, and all proceedings upon the patent application in the land office, except in reference to the publication and proof of notice, are stayed until the controversy shall have been settled, or the adverse claim waived.

Blackfoot 041168, 042662.

WESTMINSTER PETROLEUM CORPORATION AND JOHN T. FREDERICKSEN v. KLINE.

(Decided by First Assistant Secretary Finney, August 29, 1928.)

OIL AND GAS LANDS--PROSPECTING PERMIT--SETTLEMENT--HOMESTEAD ENTRY--PATENT--PREFERENCE RIGHT--NOTICE--WAIVER--RELATION.

Where in accordance with then existing regulations a permit had been granted to prospect lands embraced within a settlement claim, and the agricultural claimant, having been duly notified thereof when called upon to waive rights to the oil and gas contents, failed to give notice of a preference right by virtue of his settlement, regulations subsequently promulgated will not be retroactively applied to enable him to defeat the permit after issuance to him of a restricted patent.

DEPARTMENTAL DECISION DISTINGUISHED.

Case of Voeltzel v. Wright (51 L. D. 38), distinguished.

Denver 032667, 034404, 038553.

Glenwood Springs, 024990.

WESTMINSTER PETROLEUM CORPORATION AND JOHN T. FREDERICKSEN v. KLINE.

Motion for rehearing of departmental decision of August 29, 1928
(52 L. D. ____), denied by First Assistant Secretary Finney,
October 31, 1928.

B. F. FELTON (On Rehearing).

(Decided by First Assistant Secretary Finney, September 5, 1928.)

NATIONAL FORESTS--FOREST LIEU SELECTION--RELINQUISHMENT--QUITCLAIM DEED--

TAX SALE--REDEMPTION.

The right to a quitclaim deed accorded by the act of September 22, 1922, for lands relinquished to the United States that have not been disposed of or appropriated to the public use, is not conditioned upon redemption of the lands from a tax sale held at a time when the legal title was in the United States.

K 1273841.

SAMUEL F. MEGUIRE.

(Decided by First Assistant Secretary Finney, September 5, 1928.)

NATIONAL FORESTS--FOREST LIEU SELECTION--RELINQUISHMENT--QUITCLAIM DEED--

ASSIGNMENT.

A quitclaim deed executed by the United States pursuant to the act of September 22, 1922, conveys only such title as was acquired by the deed of relinquishment, and the fact that the party who executed and recorded the deed of relinquishment did not have a perfect title to the land would not be ground for denial to him of a quitclaim deed, provided that he had not assigned his rights.

NATIONAL FORESTS--FOREST LIEU SELECTION--RELINQUISHMENT--QUITCLAIM DEED--

APPLICATION--ABSTRACT OF TITLE--ALIENATION--EVIDENCE.

The requirement in the proviso to section one of the act of September 22, 1922, is fulfilled if the applicant for quitclaim deed under that act furnishes an abstract brought down to the date of his application showing that the deed of relinquishment to the United States had been recorded and that he had not since alienated the land.

DEPARTMENTAL DECISION CITED AND APPLIED.

Case of The Collins Land Company (51 L. D. 190), cited and applied.

K. 1273063 - 1910.

BYERS v. STATE OF ARIZONA.

(Decided by First Assistant Secretary Finney, September 10, 1928.)

SCHOOL LAND--ARIZONA--NATIONAL FORESTS--WITHDRAWAL--VESTED RIGHTS--RESTORATIONS.

Section 1946, Revised Statutes, merely reserved sections 16 and 36 in each township in the Territory of Arizona from disposal by the United States in contemplation of a future grant, and the inclusion of those sections within a national forest by a withdrawal prior to the enabling act of June 20, 1910, suspends the vesting of title thereto until their restoration to the public domain.

SCHOOL LAND--ARIZONA--NATIONAL FORESTS--VESTED RIGHTS--MINERAL LANDS--

OIL AND GAS LANDS--PROSPECTING PERMIT.

Only nonmineral lands were granted to the State of Arizona for school purposes by section 24 of the act of June 20, 1910, and where the title to a designated school section has not vested in the State the Government, in furtherance of its right and duty of investigating and determining the character of the land, may grant an oil and gas prospecting permit.

SCHOOL LAND--MINERAL LANDS--WITHDRAWAL--RESERVATIONS--STATUTES.

The act of January 25, 1927, extending the grants of school sections in place to certain States to embrace lands mineral in character, had no application to lands within reservations existing when the act became effective.

Phoenix 061131.

ADA MONIKA WILLIAMS.

(Decided by First Assistant Secretary Finney, September 19, 1928.)

PRIVATE CLAIM--BOARD OF LAND COMMISSIONERS--PATENT--LAND DEPARTMENT--

JURISDICTION.

By the act of March 3, 1851, Congress provided the legal procedure by which a corrective was afforded for a wrongful confirmation of a Mexican land grant by the Board of Land Commissioners, and the Land Department is without power to review a decree of confirmation based upon the findings of that board and, upon the issuance of patent pursuant thereto, is deprived of jurisdiction in respect to lands embraced in such a claim.

COURT AND DEPARTMENTAL DECISIONS CITED AND APPLIED.

Cases of Beard v. Federy (3 Wall. 478), Thompson v. Los Angeles Farming and Milling Co. (180 U. S. 72), Whitney v. United States (181 U. S. 104), Ben McLendon (49 L. D. 548), and John Adams et al. (51 L. D. 591), cited and applied.

Los Angeles 043056.

LESTER A. PARKER.

(Decided by First Assistant Secretary Finney, September 28, 1928.)

ISOLATED TRACT--APPLICATION--PURCHASE--STATUTES.

Disposition of an application for the sale of an isolated tract of public land pursuant to section 2455, Revised Statutes, as amended, is to be governed by the conditions existing at the time the application is filed rather than at the time that action thereupon is taken by the Land Department.

ISOLATED TRACT--APPLICATION--ADVERSE CLAIM--HOMESTEAD ENTRY--PREFERENCE

RIGHT--LAND DEPARTMENT.

Where action upon an application for the sale of an isolated tract of public land, allowable when filed, was not taken by the Land Department within a reasonable time, the applicant acquired equities superior to those of one seeking to include the land within an entry of an adjoining tract which would not have been subject to entry until after sale of the tract in dispute had not the delay occurred.

CHEYENNE 042508.

JOHN F. SILVER.

(Decided by First Assistant Secretary Finney, October 22, 1928.)

STOCK-RAISING HOMESTEAD--APPLICATION--VESTED RIGHTS--PREFERENCE RIGHT--WITHDRAWAL

A stock-raising homestead application for undesignated land has no segregative effect, but merely confers upon the applicant a preference right to enter the land, as against others, when and if designated as subject to the provisions of the stock-raising homestead act, and a withdrawal prior to designation will prevent attachment or exercise of the right.

Sacramento 016959.

PROCEDURE RELATING TO THE TAKING OF DEPOSITIONS.

(Instructions by First Assistant Secretary Finney, October 26, 1928.)

WITNESSES--PRACTICE--HEARING--DEPOSITION--EVIDENCE--STATUTES.

Section 4 of the act of January 31, 1903, contains the authority and prescribes the procedure for the taking of testimony of witnesses who reside outside of the county in which the hearing occurs, by deposition either orally or by written interrogatories.

PRACTICE--WITNESSES--EVIDENCE--DEPOSITION--STIPULATION--OFFICERS.

Rule 27 of Practice is not restrictive of any of the other rules relating to the taking of depositions, but provides a means whereby the parties to the litigation may, by agreement and stipulation, take depositions before any officer authorized to administer oaths.

CUMMINGS, jr., v. JOHNSON - FENNER AND MURDI (ON REHEARING).

(Decided by First Assistant Secretary Finney, October 30, 1928.)

PRACTICE--APPEAL--CONTEST--STOCK-RAISING HOMESTEAD.

A decision rendered on the appeal of one party to a controversy will not redound to the benefit of any other party thereto who has failed to appeal except where joint interests are involved which are so related that the rights of all will be affected by any decree made with respect to the rights of any one.

PRACTICE--APPEAL--CONTEST--STOCK-RAISING HOMESTEAD--RECORDS.

While an appeal brings up the whole record, it is only for the purpose of enabling the Department to determine the questions presented by the errors assigned, and not for the discovery of error which may have been committed affecting the rights of one who makes no complaint and who is not seeking to have it corrected.

CONTEST--CONTESTANT--PRACTICE--APPEAL--PREFERENCE RIGHT--ADVERSE CLAIM--

STOCK-RAISING HOMESTEAD.

Where in a contest proceeding a decision is rendered holding the entry for cancellation but denying a preference right to the contestant, an appeal by the contestee from that part of the decision affecting his rights will not entitle the contestant who failed to appeal within due time thereafter to assert a preference right in the presence of an adverse claim even though the decision as to him may have been erroneous.

Billings 017327, 029247, 029746.

UNITED STATES v. LANDT (ON PETITION).

(Decided by First Assistant Secretary Finney, November 19, 1928.)

CONFIRMATION--DESERT LAND--CONTEST--GOVERNMENT PROCEEDING--NOTICE--STATUTES.

An order issued by the Commissioner of the General Land Office directing proceedings against the validity of an entry will defeat the confirmatory effect of the proviso to section 7 of the act of March 3, 1891, even if no party be named therein, and the date of the issuance and service of notice upon the real party in interest is immaterial.

DEPARTMENTAL DECISION CITED AND APPLIED.

Case of Jacob A. Harris (42 L. D. 611), cited and applied.

Los Angeles 023262.

WALTER MAINE.

(Decided by First Assistant Secretary Finney, November 22, 1928.)

STOCK-RAISING HOMESTEAD--DESERT LAND--LIMITATION AS TO ACREAGE--STATUTES.

The effect of the stock-raising homestead act was to enlarge the right of homestead entry from 160 acres of land of the character specified in the act to 640 acres, and the making of a desert-land entry for 160 acres does not affect one's right under that act or under any of the homestead laws.

Carson City 016702.

Circular No. 926.
(Revised December 1, 1928.)

EXPIRATION OF PROSPECTING PERMITS - ACTS OF OCTOBER 2, 1917,
FEBRUARY 25, 1920, AND FEBRUARY 7, 1927.

Instructions.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 1, 1928.

Registers,

United States Land Offices.

Sirs:

The instructions of April 5, 1924 (Circular No. 926, 50 L. D. 364), are revised to read as follows:

Action taken by certain district land offices on applications for lands which have been included in prospecting permits outstanding for more than two years, indicate that not all district land officials fully understand the status of such permits, and in order that the matter may be made clear, you are instructed as follows:

Permits to prospect for potash under the acts of October 2, 1917, and February 7, 1927 (Circulars No. 594, 46 L. D. 323, and No. 1120, 52 L. D., 84), and for sodium under the act of February 25, 1920 (Circular No. 699, 47 L. D., 529), are issued for terms of two years without provision for extensions of time. If application for patent or lease, based on claim of discovery within the two-year period, is not filed, the permit expires by limitation fixed by both the law and the terms of the permit, and is no longer a bar to the allowance of other filings for the land which it embraced. No formal action to terminate the permit is necessary or will ordinarily be taken.

Coal permits may be extended for a period of two years pursuant to the act of March 9, 1928 (45 Stat., 251). Therefore, a coal permit can not be considered as expired until the full period for which granted and for which it may be extended has elapsed, except permits which expired on or before March 9, 1928, and no extension thereof has been applied for, or permits regularly canceled and the cancellation noted

on your records. Where application for lease has not been filed, a coal permit will, at the end of four years from date of issue, be considered no longer in force and no bar to other applications for the lands described therein.

As to oil and gas permits, the law authorizes extensions of time beyond the two-year period, and such permits are to be considered in force until canceled and the cancellation noted on your tract books in accordance with the governing regulations.

WILLIAM SPRY,

Commissioner.

Approved: December 1, 1928.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1176.

REGULATIONS UNDER THE ACT OF APRIL 21, 1928, PUBLIC NO. 290;
RELATIVE TO TAXATION OF ENTRIES WITHIN RECLAMATION PROJECTS,
BEFORE ISSUANCE OF FINAL CERTIFICATE.

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UNITED STATES
 DEPARTMENT OF THE INTERIOR
 General Land Office
 Washington

"F" FRD 1300 248 A.R.

November 27, 1928.

Registers,

United States Land Offices.

Gentlemen:

An act approved April 21, 1928 (Public No. 290, 70th Congress--H. R. No. 475), reads as follows:

"That the lands of any homestead entryman under the act of June 17, 1902, known as the Reclamation Act, or any act amendatory thereof or supplementary thereto, may, after satisfactory proof of residence, improvements, and cultivation, and acceptance of such proof by the General Land Office, be taxed by the State or political subdivision thereof in which such lands are located, in the same manner and to the same extent as lands of a like character held under private ownership may be taxed.

"Sec. 2. That the lands of any desert-land entryman located within an irrigation project constructed under the Reclamation Act and obtaining a water supply from such project and for whose land water has been actually available for a period of four years, may likewise be taxed by the State or political subdivision thereof in which such lands are located.

"Sec. 3. That all such taxes legally assessed shall be a lien upon the lands and may be enforced upon said lands by the sale thereof in the same manner and under the same proceeding whereby said taxes are enforced against lands held under private ownership; Provided, That the title or interest which the State or political subdivision thereof may convey by tax sale, tax deed, or as a result of any tax proceeding shall be subject to a prior lien reserved to the United States for all the unpaid charges authorized by the said act of June 17, 1902, whether accrued or otherwise, but the holder of such tax deed or tax title resulting from such tax shall be entitled to all the rights and privileges in the land of an assignee under the provisions of the act of June 23, 1910 (Thirty-sixth Statutes, page 592)."

The purpose of the law is to permit taxation by States, or political subdivisions thereof, prior to the issuance of final certificate, of lands embraced in reclamation homestead entries and in desert land entries within irrigation projects constructed under the reclamation act, and obtaining a water supply from a reclamation project.

Reclamation homestead entries are made subject to such taxation after the submission of satisfactory final proof under the ordinary provisions of the homestead law, and upon the acceptance thereof by the Commissioner of the General Land Office, and desert land entries located within irrigation projects, constructed under the Reclamation act, at any time after water from said project has been available for the irrigation of the lands in the entry for four years.

Taxes legally so assessed constitute a lien upon the land subject to the prior lien of the United States for all unpaid charges authorized by the Reclamation act, whether accrued or otherwise, and such lien may be enforced by the State or political subdivision thereof by the sale of the lands under proceedings had as in case of lands held in private ownership.

No tax assessed or levied prior to April 21, 1928, the date of the act, is validated thereby.

In case of the sale for taxes of lands included in a reclamation homestead entry, or a desert land entry within an irrigation project constructed under the Reclamation act and obtaining its water supply from a reclamation project, the holder of the tax deed or tax title resulting from such tax sale shall be entitled to all the rights and privileges of an assignee under the provisions of the act of June 23, 1910 (36 Stat. 592), as to reclamation homestead entries, and section 2 of the act of March 28, 1908 (35 Stat. 52), as to desert land entries, only when application for recognition as assignee has been filed in accordance with the governing regulations (see 47 L. D. 417 as to homestead entries and 50 L. D. as to desert land entries) and also satisfactory proof of such tax title, and showing that the equity of redemption has expired. After acceptance by the Commissioner of the General Land Office of such evidence as satisfactory, the name of such assignee shall be endorsed upon the records of the General and local land offices as entitled to the rights of one holding a complete and valid assignment under said act of June 23, 1910, or the act of March 28, 1908, supra, and such person may at any time thereafter receive patent upon submitting satisfactory final proof, and the proof of reclamation required by the act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof, and in case of desert land entries, the act of March 3, 1877 (10 Stat. 377), as amended by the act of March 3, 1891 (26 Stat. 1095), making the payments required by said acts. In all such cases the purchaser at tax sale must file in the local land office either the original or a duly certified copy of the tax deed, which evidence must be transmitted to this office for consideration the same as in ordinary assignment cases, before the record may be placed in the name of the purchaser as assignee.

In cases of application for exchange of reclamation homestead entries in whole or in part (of lands not sold at tax sale), where the proof as to residence, improvements, and cultivation in support of the base land has been accepted as satisfactory (see section 44 of the act of May 25, 1926, 44 Stat. 636, and the regulations thereunder in 51 L. D. 525); in cases where application is made to

enter lands formerly included in a reclamation homestead entry which was canceled after acceptance of proof of residence, improvements, and cultivation; in cases where application is made to enter lands formerly embraced in a desert land entry, which obtained its water from a Federal reclamation project, and was canceled after four years from the date of availability of water or where final proof is submitted on a pending desert land entry after four years from the date water was available therefor; there must be furnished in addition to the usual evidence, a certificate by the proper tax officer showing that there are no unpaid taxes or tax sales charged against the land or tax deeds outstanding and that the accrued taxes for the current year have been provided for.

When relinquishments of entries or parts of entries involving taxable lands are filed with the register of a local land office, he will transmit the same to the General Land Office without noting the same on his records, unless there is furnished, as set forth in the preceding paragraph satisfactory evidence that there are no unpaid taxes charged against, or unredeemed sales of, the lands relinquished in which case the relinquishment may be accepted or noted as in ordinary cases.

In case of exchange or the cancellation of entries involving lands which have been taxed or are subject to taxation, the register of the local land office will at once, upon the consummation of the exchange or the notation of the cancellation, notify the proper taxing authorities thereof, to the end that such lands may be relieved from future taxation.

The register of the local land office will, upon application therefor, furnish the proper taxing authorities lists of reclamation homestead entries upon which final proof has been submitted and accepted under the ordinary provisions of the homestead law, and of desert land entries where water from a Federal irrigation project has been available for four years, as provided in instructions of October 8, 1907 (36 L. D. 194), and of April 16, 1910 (38 L. D. 575). Circular of July 8, 1922 (49 L. D. 168) is hereby revoked.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: November 27, 1928.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1177.
ABBREVIATIONS OF DESCRIPTIONS REQUIRED IN
PUBLICATION OF FINAL PROOF NOTICES.

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"C" NMB 1321630.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 4, 1928.

Registers,

United States Land Offices.

Gentlemen:

In examining newspaper clippings attached to publishers' affidavits in connection with public land cases it is found that often-times the descriptions of legal subdivisions are written out in full instead of being abbreviated, thereby increasing the space occupied and also the cost for the publication.

Hereafter in your notice for publication you will use the abbreviations for the descriptions of legal subdivisions such as NE $\frac{1}{4}$ instead of northeast quarter, etc., and instruct all the publishers within your jurisdiction to closely follow the copy.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1178.

PROCEDURE FOR ADJUSTMENT OF COLLECTIONS
ON ACCOUNT OF SUSPENDED AND DISALLOWED ITEMS.

1321629 "M" CLB

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 10, 1928.

Disbursing Officers,

General Land Office.

Sirs:

By General Regulations No. 63, as modified by Supplement No. 1, effective January 1, 1929, the Comptroller General of the United States prescribes the following procedure for the prompt adjustment of collections on account of suspended and disallowed items in your accounts:

You may prepare and forward to the General Accounting Office not more frequently than four times a month a statement of amounts collected on account of such items, giving the voucher number, certificate of settlement number, name of payee, appropriation, amount received, total collected and account in which the same will be taken up and accounted for. If a collection is made of an item suspended or disallowed in the accounts of another disbursing officer or agent the name of such officer or agent should be given in the space provided for certificate of settlement number. Each notice will bear a consecutive reference number, the first notice submitted in July of each fiscal year being number one.

Upon receipt of such notice of collection in the General Accounting Office, items involved will be removed from the difference sheet and the collections reported subsequently checked with the schedule of collections forwarded with your accounts. Any item on the notice of collection that can not be identified on the schedule will be charged back to the disbursing officer.

The notice of collection shall be prepared on Standard Form No. 1043, a supply of which will be forwarded you.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1179.

ACTING REGISTER'S REPORT OF NO TRANSACTIONS.

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1317371 "M" CLB

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 10, 1928.

Acting Registers,

United States Land Offices.

Sirs:

In order to simplify the method of reporting to the General Accounting Office and the procedure for handling therein reports from collecting and disbursing officers and agents covering accounting periods in which no funds are received, no collections or disbursements made and no balance on hand, the Comptroller General of the United States by General Regulations No. 70 approved Standard Form No. 1063, Collecting and Disbursing Officer's or Agent's Report of No Transactions, to be used in the manner and under the circumstances hereinafter prescribed.

At the close of any monthly accounting period, beginning with the accounts for the month of December, 1928, acting registers, who during such period have had no advances of funds, made no collections or disbursements and have no balance to be accounted for, will fill out a report of no transactions, Standard Form No. 1063, execute the certificate thereon and transmit same to this office within the time prescribed for transmitting your accounts.

You will be supplied with the necessary blanks.

Very respectfully,

WILLIAM SPRY,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(56)

NEW MEXICO:

RELEASED FROM STOCK-DRIVEWAY WITHDRAWAL.

Five hundred and twenty acres in Secs. 14, 23, and 26, T. 21 S., R. 26 E N. M. P. M., in Eddy County, Las Cruces landdistrict, opened to entry only by ex-service men of the World War under the homestead and desert-land laws for a period of 91 days, beginning January 5, 1929. Applications of such ex-service men may be presented at the United States land office at Las Cruces during the 20 days prior to that date. On and after April 6, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been released from withdrawal for stock driveway purposes. Further information, if desired, may be obtained from the United States land office at Las Cruces, New Mexico.

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(57)

ALASKA:

EXCLUDED FROM RESERVATION.

The unreserved and unappropriated public lands in the unsurveyed islands of Akun, Akutan, Sanak, Tigalda, Umnak, and Unalaska, including Sedanka, at the eastern end of the Aleutian Island chain in Anchorage land district, Alaska, opened to homestead entry location by ex-service men of the World War for the period of 91 days, beginning January 25, 1929. On and after April 26, 1929, the remaining lands will be subject to appropriation under any applicable public land law by the general public.

The islands have been released from the Aleutian Islands Reservation and have some grazing value.

(58)
NEW MEXICO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 18,300 acres of unreserved, unappropriated public land in Socorro County, New Mexico, will be opened to homestead and desert-land entry on January 5, 1929, at 9 a. m. at the United States land office, Las Cruces, New Mexico, through the filing of the plats of resurvey of lands in T. 6 S., Rs. 4 and 5 W., T. 7 S., R. 4 W., and extension survey of T. 4 S., R. 2 W., N. M. P. M.

A portion of the lands in T. 6, Rs. 4 and 5 W., and T. 7 S., R. 4 W., are within the limits of Datil National Forest and other portions are withdrawn for stock driveway purposes. These lands will not be subject to appropriation under the general public land laws except in the case of valid adverse claims initiated prior to the respective dates when the lands were first withdrawn for forest purposes or for stock driveway.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to January 5, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On April 6, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Application by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on April 6, 1929.

T. 7 S., R. 2 W., N. M. P. M.--The land consists of rolling prairie with sandy and gravelly soil upon which there is a scattering growth of greasewood. There are no settlers or any improvements, although a mining claim had been located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, and a townsite was being located in that section at the date of the conclusion of the survey in 1926.

T. 6 S., R. 4 W., N. M. P. M.--This township consists of gently rolling prairie land having a gradual slope to the southeast. It is mostly drained by Mulligan Gulch, a canyon about 60 feet deep and from 5 to 10 chains wide, which flows southeasterly through the township. Water is found at a shallow depth in this canyon. A number of settlers reside in the township which is used almost exclusively for stock grazing purposes. No evidence of mineral was found.

T. 6 S., R. 5 W.--The west half of this township consists of rolling and mountainous land which slopes eastward to a level prairie in the east three reanges of sections. The mountainous sections have a good growth of pine and pinon timber. The prairie sections have a gravelly and sandy soil which produces a good growth of native grasses.

In Red Canyon near the south boundary, North Canyon near the middle and Crow Springs Arroyo in the northern part of the township, there is an abundant supply of water at a shallow depth below the surface, reached by driven wells. There has been a considerable amount of prospecting for mineral in the mountainous portion of the township, and at one time the patented mining claims in Secs. 6 and 7 were the site of a prosperous mining camp.

T. 7 S., R. 4 W., N. M. P. M.—The eastern two-thirds of this township consists of nearly level and gently rolling prairie land. The remaining portion consists of broken hills and mountains which are covered with a scattering growth of scrub juniper, pinon, and cedar timber. In Red Canyon, in the northern part of the township, a small, clear stream of water flows during the favorable years. Water is obtained from wells by windmill pumps in the other portions of the township. No indication of mineral was noted. The only material improvements in the township are at a ranch in Sec. 28 and another ranch in Sec. 27.

(59)
NEW MEXICO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY.

Approximately 7,200 acres of unreserved, unappropriated public land in Dona Ana County, New Mexico, will be opened to homestead and desert-land entry on January 5, 1929, at 9 a. m. at the United States land office, Las Cruces, New Mexico, through the filing of the plats of survey of Secs. 1, 12, 15, 24, 25, and 36, T. 22 S., R. 3 E., N. M. P. M., and Secs. 6, 7, 18, 19, 29, to 33, inclusive, T. 22 S., R. 4 E., N. M. P. M.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These persons may present their applications at any time within 20 days prior to January 5, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On April 6, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on April 6, 1929.

T. 22 S., R. 3 E.---Land: mountainous, lying on west slope of Organ Mountains. Soil: rocky, supporting a good growth of forage grasses. The area is highly mineralized. Mines are located in Secs. 1 and 35. There is no timber. There were no settlers at the time of survey, although several homestead entries have been made in this part of the township.

T. 22 S., R. 4 E.---Land: mountainous, lying on the east slope of Organ Mountains. Soil: rocky, but it supports a good growth of pine, juniper and live oak in the southwest part of this area. There were no settlers in this area at the time of survey.

Approved: December 13, 1928.

WILLIAM SPRY,

Commissioner.

(60)
WYOMING:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 37,000 acres of unreserved, unappropriated public land in Washakie County, Wyoming, will be opened to homestead and desert-land entry on January 15, 1929, at 9 a. m. at the United States land office, Buffalo, Wyoming, through the filing of the plats of resurvey of T. 44 N., R. 91 W., and 42 N., R. 89 W., 6th P. M.

A portion of the first-mentioned township has been classified as coal land.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to January 15, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On April 16, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on April 16, 1929.

The greater portion of T. 42 N., R. 89 W., is rolling or rough mountains. In the northwest portion of the township is a black shale bad-land formation. The soil is clay and sandy clay, supporting a good growth of native grasses. There is ample water for stock in the southern portion of the township, and also along Buffalo Creek in the northeast corner of the township, but otherwise the area is dry. All water in the township is strongly alkaline. There is no timber except scattering cottonwoods along some of the streams in the E $\frac{1}{2}$ of the township. The township has little value for farming purposes, being too high in elevation and lacking sufficient water for irrigation. No indication of metallic mineral was noted.

The land in T. 44 N., R. 91 W., is mostly rolling hills and may be classed as bad lands or desert. The drainage is in a northwesterly direction. There is no water for stock or domestic purposes. The third rate sandy and adobe soil contains considerable alkali and produces a sparse growth of grass and scrub sagebrush. The land is used principally for winter range for stock. There are two settlers in the township. There is an abandoned coal mine in Sec. 17. No indication of metallic mineral was noted.

(61)
CALIFORNIA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY.

Approximately 9,000 acres of unreserved, unappropriated public land in San Bernardino County, California, will be opened to homestead and desert-land entry on January 15, 1929, at 9 a. m. at the United States land office, Sacramento, California, through the filing of the plat of survey of a part of T. 15 N., R. 16 E., S. B. M.

Qualified former servicemen of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to January 15, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On April 16, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on April 16, 1929.

The character of the land is rolling and mountainous. The area is suitable for grazing purposes. There is a very good spring in the northwest quarter of Sec. 36. Numerous mineral locations which appear to be abandoned were found in the township. The area surveyed is located about $3\frac{1}{2}$ miles south of Nipton station on the Union Pacific Railroad.

(62)

OREGON:

RESTORED UNDER ACT JUNE 9, 1916 (39 STAT., 218).

Two incontiguous tracts of 40 acres each described as the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11, T. 35.S., R. 3 W., W. M., in Jackson County about 9 miles north of Cold Hill, Oregon, on the Southern Pacific Railway, opened to entry by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat., 218), for a period of 91 days, beginning January 18, 1929.

Applications of such ex-service men may be presented at the United States land office at Roseburg, during the 20 days prior to that date.

On and after April 19, 1929, the land, if remaining unentered, will be subject to homestead entry by the general public.

The land has been restored from Executive withdrawal of July 31, 1916, and it has been ordered that the same be opened to entry under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat., 218).

(63)

RESTORED FROM POWER SITE WITHDRAWAL.

Five hundred and twenty acres in Mendocino County, Sacramento land district, near the town of Redwine, open to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days, beginning January 19, 1929. Applications of ex-service men may be presented at any time within the 20 days prior to that date.

On and after April 20, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public. Further information, if desired, may be obtained from the United States land office at Sacramento, California.

MEMORANDUM OF EFFECTIVE DATES IN ABOVE ORDER.

Date of order, December 15, 1928.

Soldiers' simultaneous filing period from December 29, 1928, to January 18, 1929, inclusive.

Soldiers' preference right period from January 19, 1929, to April 19, 1929, inclusive.

General simultaneous filing period from March 31, 1929, to April 19, 1929, inclusive.

Land opened to general disposition April 20, 1929.

(64)

(28)

CALIFORNIA:

RESTORATION FROM POWER SITE RESERVE.

About 800 acres in Inyo County, about 20 miles north of Independence, Sacramento land district, open to entry only by ex-service men of the war with Germany, under the homestead and desert-land laws for a period of 91 days, beginning January 19, 1929. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after April 20, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public. Further information, if desired, may be obtained from the United States land office at Sacramento, California.

MEMORANDUM OF EFFECTIVE DATES IN ABOVE ORDER.

Date of order, December 15, 1928.

Soldiers' simultaneous filing period from December 29, 1928, to January 18, 1929, inclusive.

Soldiers' preference right period from January 19, 1929, to April 19, 1929, inclusive.

General simultaneous filing period from March 31, 1929, to April 19, 1929, inclusive.

Land opened to general disposition April 20, 1929.

(65)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

Approximately 89,000 acres of unreserved, unappropriated public lands in Arizona will be opened to entry under the homestead and desert-land laws on January 30, 1929, at 9 a. m. at the United States land office, Phoenix, Arizona, through the filing of the plats of survey in the following townships:

T. 13 N., R. 1 E., G. & S. R. M., Yavapai County, approximately	10,800 acres.
T. 38 N., R. 5 E., G. & S. R. M., Coconino County, approximately	22,000 acres.
T. 39 N., R. 3 E., G. & S. R. M., Coconino County, approximately	9,500 acres.
T. 4 S., R. 31 E., G. & S. R. M., Greenlee County, approximately	6,400 acres.
T. 34 N., R. 12 W., G. & S. R. M., Mohave County, approximately	22,800 acres.
T. 39 N., R. 12 W., G. & S. R. M., Mohave County, approximately	17,500 acres.

Portions of the lands in T. 13 N., R. 1 E., are included in a power site reserve, for transmission line purposes. These lands are opened subject to the terms and conditions of section 24 of the Federal water power act of June 10, 1920 (41 Stat. 1063), as to all lands within 50 feet of the center of the transmission line right of way.

A part of the lands in T. 39 N., R. 3 E., is within the limits of Kaibab National Forest and a large part of the lands in T. 4 S., R. 31 E., is within the Crook National Forest. These lands will not be opened to entry under the general public land laws except in the case of valid adverse claims initiated prior to the respective dates on which the lands were withdrawn for forest purposes.

Portions of the lands in T. 39 N., R. 3 E., T. 38 N., R. 5 E., Tps. 34 and 39 N., R. 12 W., are embraced in public water reserves. These tracts will not be opened to entry under the general public land laws except in the case of valid adverse claims initiated prior to the respective dates of withdrawal for public water reserve purposes.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to January 30, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 1, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition.

T. 13 N., R. 1 E., G. & S. R. M.--Land: rolling and mountainous, situated in the upper valley of Agua Fria River. The elevation ranges from 4,500 to 5,700 feet above sea level. The soil is rocky, fourth rate in the mountains and sandy loam, first and second rates in the valleys. Timber: cedar, pinyon, and scrub oak. The principal industries of this township are mining and stock raising. The principal town is Humboldt in Sec. 14, where a large smelter is located; Dewey is located in Sec. 3; McGabe in Sec. 29, and Huron in Sec. 33. There are many patented mining claims throughout the township.

T. 39 N., R. 3 E.--Land: mountainous. Soil: shallow and gravelly loam, third rate. The township is well timbered with pinon and cedar. Copper ore was found in Sec. 3. There is one settler in Sec. 35 engaged in stock raising for which purpose the township as a whole is best adapted. Several springs were found along the Vermillion Cliffs on the east side of House Rock Valley.

T. 38 N., R. 5 E.--Area surveyed: 23,008.88 acres. Land ranges from level prairie to rock mountains. The soil ranges from second to fourth rate, sandy and stony. The township is watered by three springs, one in Sec. 6, one in Sec. 5, and one in Sec. 8. The high plateau in the northern part of the township is covered with pinon and cedar timber. Mining operations have been carried on in Secs. 5 and 8 where copper ore was found but as yet no paying ore bodies have been discovered.

T. 4 S., R. 31 E.--Land: rolling and mountainous. Elevation: 4,500 to 6,000 feet above sea level. Soil: sandy loam to rocky, second and fourth rates. Timber: cedar, oak, pinon, and cottonwood. There are springs in Secs. 3, 20, 26, and 29. There are improved ranches in Secs. 20, 26, and 29. The township is adapted to grazing purposes. There are no surface indications of metallic minerals.

T. 39 N., R. 12 W.--Land: mountainous. Soil: rocky and sandy, third and fourth rates. Timber: a moderate growth of cedar and pinon pine covers the township. It is useful only for fuel and fencing purposes. There are no surface indications of metallic minerals. There are no streams in the township but springs were found in Secs. 21 and 30. They are controlled by Preston Nutter, the cattleman on the Strip of Arizona. The township is suitable for stock-raising purposes.

T. 34 N., R. 12 W.--Land: rolling plateau ranging in elevation from 5,600 to 6,000 feet above sea level. Soil: sandy loam, second to fourth rate. The entire township is timbered with cedar and pinon. The township is watered by an intermittent stream which flows for a part of the year in the Parashont Wash. There are no surface indications of metallic mineral. The land is best adapted to the grazing of stock, which is the occupation of the settler in Sec. 10.

(66)
MINNESOTA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

ITEM IN RE OPENING TO ENTRY OF CHIPPEWA INDIAN LAND.

On November 23, 1928, the Department directed that there be opened to entry under the act of January 14, 1889, and the homestead laws, 5,192.05 acres of ceded Chippewa Indian lands in Minnesota from which the timber has been removed. Besides the fee and commissions required by law the sum of \$1.25 per acre must be paid.

The preference right of soldiers in the World War runs from February 23 to May 25, 1929, with a simultaneous filing period from February 2 to February 21, 1929.

Unentered lands will on May 27, 1929, become subject to general disposition under applicable laws with a simultaneous filing period from May 6, 1929, to May 25, 1929.

The lands are in the Lake of the Woods County and are subject to entry at the district office at Cass Lake.

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(67)
OREGON:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT., 218).

Eighty acres described as the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 23, T. 36 S., R. 6 W., W. M., in Josephine County, Roseburg land district, opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat., 218), for a period of 91 days, beginning January 17, 1929. Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after April 18, 1929, the land, if remaining unentered, will be subject to homestead entry by the general public.

The land has been restored from Executive withdrawal of July 31, 1916, and it has been ordered that the same be opened to entry under the general provisions of the homestead laws as modified by the act of June 9, 1916 (39 Stat., 218).

RECENT EXECUTIVE ORDERS.

By order of November 23, 1928, seven islands have been excluded from the Aleutian Islands Bird, Fur-bearing Animals and Fish Reservation in Alaska, and the public lands therein not otherwise withdrawn restored to the public domain.

By order of December 3, 1928, the public lands in T. 4 N., Rs. 50 and 51 E., and Ts. 5 and 6 N., Rs. 49, 50, and 51 E., P. M., Montana, as lie between Mizpah and Pumpkin Creeks, have been withdrawn for classification and in aid of legislation.

Under order of December 15, 1928, certain tracts of public land in Sec. 13, T. 36 N., R. 13 E., 3rd P. M., Illinois, were withdrawn from all forms of appropriation except under the isolated tract law section 2455, United States Revised Statutes, as amended.

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OIL AND GAS ACTIVITIES.

During the month of December the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 354 new applications and 3,819 applications for reconsideration. Permits were granted on 245 applications; 65 applications were finally rejected and closed in entirety and 117 in part; 240 applications were rejected subject to appeal and 10 appeals were transmitted to the Secretary; 14 departmental decisions were promulgated, 11 affirming, 1 reversing and 2 modifying decisions of this office; 30 assignments

were disposed of; 355 applications for extensions of time were acted upon; 134 permits were held for cancellation and 216 permits canceled; 1,355 applications are awaiting reports from the Geological Survey and 25 from the Reclamation Bureau, and 549 new cases are awaiting reports from the Survey. 2,718 letters were written of which 235 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 3 leases were delivered to lessees, 1 lease authorization was recommended to the Secretary, and 12 leases involving 8 cases were mailed to lessees for execution and return; revocation of authorization of lease was recommended in 1 case; amendment of lease was rejected in 1 case and 1 lease was canceled on relinquishment; 3 departmental decisions were promulgated, modifying decisions of this office; 1 drilling agreement was approved; 9 assignments were acted upon and 9 applications for extensions of time were disposed of; 2 sales contracts involving 4 cases were recommended to the Secretary and recommendations approved; reduction in royalty was recommended to the Secretary and approved in 1 case; substitution of bond was recommended to the Secretary in 2 cases. 95 letters were written of which 31 were answers to inquiries.

On December 10, 1928, bids for the purchase of the Government's royalty oil in the Salt Creek oil field, Wyoming, were opened in the office of the Secretary of the Interior, and on December 21, all bids were formally rejected. The Secretary then called for offers under the same terms and conditions at private sale, following which the joint bid of the White Eagle Oil and Refining Company and The Texas Company of 21-3/4 cents per barrel above the highest posted field price in the Midcontinent field or Salt Creek field, whichever is highest, was accepted. This nets the Government \$1,000 per day more than it has been receiving from this oil under previous arrangements.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

Receipts under the mineral leasing act of February 25, 1920, during the month of November, were \$324,435.33, all from lands outside of naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR MONTH OF NOVEMBER, 1928.

Office.	Business of current month.					Pending at end of month.		
	Applications, proofs, etc., received.	Receipts, final certificates issued and miscellaneous.	General Land Office letters received.	Contest cases initiated.	Total.	Pending designation.	Suspended, rejected, or otherwise.	Pending unacted on by Register.
Alaska								
Anchorage	13	86	44		143			8
Fairbanks	45	29	13		87		28	
Arizona								
Phoenix	250	928	310	22	1,510	155	140	
Arkansas								
Little Rock	79	772	46	9	906		48	
California								
Los Angeles	180	901	146	17	1,244	97	148	
Sacramento	187	2,021	177	11	2,396	167	210	
Colorado								
Denver	196	1,459	296	10	1,961	351	552	
Pueblo	98	784	123	1	1,006	133	130	
Florida								
Gainesville	45	516	60	6	627		30	
Idaho								
Blackfoot	164	1,032	87	8	1,291	173	214	
Coeur d'Alene	16	125	18	1	160	10	20	
Minnesota								
Cass Lake	34	352	57	3	446		14	
Montana								
Billings	221	1,757	173	7	2,158	167	254	
Great Falls	418	1,911	259	12	2,600	155	505	
Nebraska								
Alliance	18	387	17	2	424	20	5	
Nevada								
Carson City	30	721	111	3	865	78	38	
New Mexico								
Las Cruces	276	1,069	432	17	1,794	127	228	
Santa Fe	237	1,166	480	9	1,892	190	269	

North Dakota	37	522	46	1	606	20	33
Bismarck							
Oregon							
Lakeview	15	150	24	1	190	45	51
Roseburg	91	800	44	5	940	8	72
The Dalles	81	997	74	7	1,159	113	63
South Dakota							
Pierre	84	1,223	140	1	1,448	46	48
Utah							
Salt Lake City	172	1,187	416	5	1,780	436	266
Washington							
Spokane	28	528	47	1	604	30	34
Wyoming							
Buffalo	178	1,137	258	8	1,581	179	185
Cheyenne	297	1,602	398	5	2,302	259	344
Evanston	129	808	210		1,147	62	85
Total	3,619	24,970	4,506	172	33,267	3,021	4,014
							8

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE

BULLETIN

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 12

February 1, 1929.

No. 12.

OREGON AND CALIFORNIA TAX UNIT.

One tax claim for the year 1927 under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands, was certified during the month of January in the amount of \$10,397.30. This disposes of all 1927 claims except one still pending amounting to \$1,903.93, and one claim not yet presented. Total certified for the year 1927, \$575,884.78.

SURVEY NOTES.

Urban Homestead.---The most optimistic seeker of a home on Uncle Sam's public domain would scarcely expect to find it in or about one of the world's largest cities, yet it is a fact that in September, 1926, the General Land Office allowed homestead entry to be made for a tract of vacant public land within 22 miles of the business district of Chicago, Illinois.

The tract was one of two triangular lots containing $2\frac{1}{4}$ and $1\frac{1}{4}$ acres, respectively, in fractional Sec. 13, T. 36 N., R. 13 E., 3rd P. M., north of the boundary line marking a cession of lands by the Ottawa, Chippewa, and Pottawatomie Indians. There was also a Sec. 13 of the same township south of the boundary line. When the other lands in this vicinity were disposed of by the Government shortly after the middle of the last century, question was raised concerning these two lots and it was held that title thereto passed from the Government by the issuance of patents on two military bounty land warrant locations describing tracts in Sec. 13 south of the Indian boundary line. When the homestead application was presented, however, the tract records of this office showed no disposition of the two lots and the homestead application was allowed.

Because of subsequent inquiries concerning the land, this office reviewed the record in detail and found that title to the two lots had never passed from the Government except such rights as might be claimed under the homestead allowed in 1926. However, a cadastral engineer of the field surveying service was directed to make a field examination of the land with a view to definitely locating the two lots and developing the facts concerning their character, and occupancy or claim thereto, if any. The investigation has been had and it was found that the lots are level prairie land, within the limits, but not a part of a suburban development, not occupied and, as shown by the local records, not claimed adversely to the Government. It also appeared that the homesteader had neither improved nor established residence on the lot embraced in his entry.

Charges have been preferred against the homestead entry with a view to its cancellation, and as the two lots, by reason of their size and location, were not believed to be properly subject to location or entry under any other of the public land laws, the President, by Executive Order of December 15, 1928, withdrew the tracts from disposition except as isolated tracts to be sold at public auction under section 2455, Revised Statutes, as amended. No sale has yet been ordered.

Field Investigation, Group 6, Alabama.---Special instructions for field investigation of an alleged hiatus between the east boundary of T. 1 S., R. 4 E., and the west boundary of T. 1 S., R. 5 E., St. Stephen's Meridian, under Group 6, Alabama, have recently been approved by this office. With the application for the survey of the alleged hiatus are diagrams by local surveyors indicating that four original township corners now exist within a radius of 500 feet. Provided the findings of the local surveyors are substantiated by the field investigation it is apparent that the investigating engineer will be confronted with a problem that will tax his ingenuity to the utmost.

Cooperative Resurveys, California.---The resurvey of T. 24 N., R. 6 E., M. D. M., California, has been requested by the Federal Power Commission because of the impossibility of reconciling the location of the Feather River Power Co. project with the subsisting official plats. The water power project lies on the tributaries of the North Fork of Feather River covering lands in the above township within the Plumas National Forest. A field investigation has developed the fact that the original subdivisional surveys are grossly erroneous and fraudulent. After consideration of the case the resurvey of the township was recommended and authority for such procedure has been granted by the First Assistant Secretary of the Interior.

Nambe Pueblo Grant, New Mexico.---The act of June 7, 1924 (43 Stat., 636), established the Pueblo Lands Board for the purpose of quieting title to lands within the Pueblo Indian Grants in New Mexico. Section 13 of the act provides in part as follows:

"The Secretary of the Interior at any time after two years after the filing of said reports of the board shall file field notes and plat for each pueblo in the office of the Surveyor General of New Mexico at Santa Fe, New Mexico, showing the lands to which the Indian title has been extinguished as in said report set out, but excluding therefrom lands claimed by or for the Indians in court proceeding then pending, and copies of said plat and field notes certified by the Surveyor General of New Mexico as true and correct copies shall be accepted in any court as competent and conclusive evidence of the extinguishment of all the right, title, and interest of the Indians in and to the lands so described in said plat and field notes and of any claim of the United States in or to the same."

In 1915 a survey was made of all tracts of land in the Nambe Pueblo Grant which were claimed by non-Indians. The survey of these tracts did not in any way confirm title in the claimants. This survey has been used as a basis for the adjudication of rights within the Grant.

The report of the Pueblo Lands Board for the Nambe Pueblo was filed on August 10, 1926, and the statutory period of two years expired on August 10, 1928. The Pueblo Lands Board, in its report, confirms the title to the Indians for the entire Pueblo with the exception of 177 tracts which are listed as Exceptions Nos. 1 to 177, inclusive. One hundred and sixty-six of these tracts conform to the lines of the survey executed in 1915 and no field work was necessary in these cases. The boundaries of the remaining 11 tracts were changed by the Pueblo Lands Board and it was therefore necessary to make a new survey of these tracts in accordance with the lines determined by the Board. The plats showing these additional surveys were accepted on January 12, 1929.

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RECENT DEPARTMENTAL DECISIONS.

H. C. SKARIE, AS MORTGAGEE OF FRANK F. BROCKWAY.

(Decided by First Assistant Secretary Finney, December 1, 1928.)

HOMESTEAD ENTRY--FINAL PROOF--CONFIRMATION--MORTGAGEE--STATUTES.

Section 7 of the act of March 3, 1891, presupposes that the entryman himself shall submit proof and pay the necessary fees and commissions, and that the receiver's receipt shall be issued to him, and there is no such privity of interest between the entryman and a mortgagee as will permit the latter to fulfill these conditions of the statute upon the failure of the entryman to do so.

HOMESTEAD ENTRY--MORTGAGE--MORTGAGEE--FINAL PROOF--EQUITY--EVIDENCE.

Where an entryman fails or refuses to submit proof after mortgaging his entry, the mortgagee, in order to be entitled to equitable consideration, must show that the entryman complied with the law of his entry and possessed the necessary qualifications to have enabled him to acquire the legal title to the land.

HOMESTEAD ENTRY--FINAL PROOF--MORTGAGEE--EQUITY--EVIDENCE--OATHS.

Section 2291, Revised Statutes, contemplates that a homestead entryman shall, upon the submission of final proof, appear personally before the proof-taking officer, and an exception to that requirement for the purpose of granting equitable consideration to a mortgagee will be considered only upon a showing that the testimony of the entryman can not be obtained.

GORDA GOLD MINING COMPANY AND WALLACE MATHERS v. ERNEST BAUMAN.

(Decided by First Assistant Secretary Finney, December 3, 1928.)

MINERAL LANDS--MINING CLAIM--HOMESTEAD ENTRY--ADVERSE CLAIM--HEARING--RES JUDICATA--LAND DEPARTMENT--EVIDENCE.

Where in a controversy between rival claimants to a tract of public land the issue is as to its character and it is adjudged upon hearing to be mineral, the issue as to the character of the land as of the date of the hearing is res judicata, and further consideration of the matter will not be given by the Land Department in the absence of a showing that exploration and development subsequent to the hearing disclosed that the land was not in fact of mineral value.

MINERAL LANDS--MINERAL CLAIM--ASSESSMENT WORK--LAND DEPARTMENT--HOMESTEAD ENTRY.

The Land Department has nothing to do with the question of the performance of annual assessment work on mining locations made upon lands that continue to be subject to location, entry, and purchase under the mining laws, and an agricultural claimant can not take advantage of defaults of that character.

HOMESTEAD ENTRY--POSSESSION--LAND DEPARTMENT--COURTS.

The Land Department has no means of enforcing its decisions and restoring to an entryman in whose favor it has decided, possession to the land unlawfully detained from him by another, but his remedy is in the local courts.

NOTICE--HOMESTEAD ENTRY--ADVERSE CLAIM--MINING CLAIM.

One who puts himself out of range of timely notice by sojourn in a distant country while decision was pending without designating some proper representative upon whom service could be made in his behalf has no ground for complaint of action taken during his absence.

San Francisco 06140.

HARRY F. DIEMER.

(Decided by First Assistant Secretary Finney, December 3, 1928.)

STOCK-RAISING HOMESTEAD--OIL AND GAS LANDS--WITHDRAWAL.

Lands within a petroleum reserve are not subject to entry under the stock-raising homestead act.

STOCK-RAISING HOMESTEAD--HOMESTEAD ENTRY--OIL AND GAS LANDS--WITHDRAWAL.

The different rules adopted with respect to the allowance of entries under the stock-raising homestead act and the allowance of entries under other homestead laws, in cases where the lands have been reserved, involve classification and not discrimination, and a stock-raising homestead applicant has no ground for complaint because other homestead applicants have greater privileges than himself.

Cheyenne 044773.

STANDARD SHALES PRODUCTS COMPANY.

(Decided by First Assistant Secretary Finney, December 12, 1928.)

OIL SHALE LANDS--MINING CLAIM--ASSESSMENT WORK--RELIEF--NOTICE--STATUTES.

The public resolution of November 13, 1919, and prior resolutions containing substantially the same provisions, afforded relief from the necessity of doing annual assessment work only to those claimants who invoked their benefits in the manner therein provided.

OIL SHALE LANDS--MINING CLAIM--ASSESSMENT WORK--RELIEF--NOTICE--RECORDS--POSSESSORY RIGHT.

Where an oil-shale claimant neither performed the annual assessment work for the year 1919, nor caused the notice provided by the public resolution of November 13, 1919, to be recorded in lieu thereof, all of his rights under the mining law ceased and he could not thereafter bring his claim within the exception in section 37 of the leasing act of February 25, 1920.

OIL SHALE LANDS--MINING CLAIM--GROUP DEVELOPMENT--DISCOVERY--EXPENDITURE--ASSESSMENT WORK--EVIDENCE.

Work of a strictly exploratory nature performed on a group of oil-shale claims, such as work that has value in determining the oil-bearing character of the shale on a continuous group of claims is available as assessment work under section 2324, Revised Statutes, an antecedent discovery being shown.

OIL SHALE LANDS--MINING CLAIM--GROUP DEVELOPMENT--ASSESSMENT WORK--STATUTES.

The restriction in the act of February 12, 1903, relating to oil placers, which limits the benefits of common improvement work to five claims, is not applicable to oil-shale claims.

OIL SHALE LANDS--MINING CLAIM--GROUP DEVELOPMENT--ASSESSMENT WORK--EVIDENCE--LAND DEPARTMENT.

Where development work has actually been done upon a group of oil-shale claims in good faith and is reasonably adapted to the purpose for which it was designed, although it may not have been the best possible mode of development, the department will not substitute its judgment as to its wisdom or expediency for that of the owner.

OIL SHALE LANDS--MINING CLAIM--ASSESSMENT WORK--EXPENDITURES--COSTS--EVIDENCE--STATUTES.

In determining whether the amount of annual assessment work performed upon a mining claim fulfills the requirements of section 2324, Revised Statutes, the test is the reasonable value of the work, not what the contract price was, nor the actual amount paid for it.

Denver 038111.

ERVIN S. ARMSTRONG, ET AL.

(Decided by First Assistant Secretary Finney, January 9, 1929.)

OIL AND GAS LANDS--PROSPECTING PERMIT--ASSIGNMENT.

A new permit can not be granted under a partial assignment of an oil and gas prospecting permit where some of the land in the assignment is in a de facto producing structure.

OIL AND GAS LANDS--PROSPECTING PERMIT--ASSIGNMENT--LEASE--CONTIGUITY.

In the case of a partial assignment of an oil and gas prospecting permit such permit will be regarded, ordinarily, as a unit, and separate permits will not be issued to the assignees where it appears that the purpose is to evade the provision in section 14 of the leasing act of February 25, 1920, relating to the granting of a 5 per cent lease in compact form.

Sacramento 019492.

CUMMINGS, JR. v. JOHNSON-FENNER AND MURDI (ON REHEARING).

(Decided by First Assistant Secretary Finney, January 19, 1929.)

CONTEST--CONTESTANT--PREFERENCE RIGHT--PRACTICE.

A contestant who allows his contest to be dismissed can not thereafter claim the preference right accorded to successful contestants by section 2 of the act of May 14, 1880.

Billings 017327, 029247, 029748.

Circular No. 1151.
(Revised January 8, 1929.)

GENERAL INFORMATION RELATIVE TO BOUNTY LAND WARRANTS:

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 8, 1929.

1. Warrants for bounty lands were and are issued by the Commissioner of Pensions for services in wars or battles prior to March 3, 1855, only. Applications for the issuance of warrants should be addressed to that official.

2. Warrants can not now be "located" upon the public lands. The locating privilege was denied except in the State of Missouri after the passage of the act of March 2, 1889 (25 Stat. 854), and there are now no lands known to this office to be subject to warrant location in Missouri.

3. A warrant for bounty lands may be used as cash in commuted homestead, desert land and timber and stone entries, and for lands sold at public auction, except ceded Indian lands.

4. In the instances mentioned above, warrants are received as the equivalent of money to the extent of their valuation at \$1.25 per acre, and it is not necessary to apply the warrant to a specific tract. For instance, a 40-acre warrant will be received as \$50 cash in payment or part payment of the money due.

5. In order to use a warrant as indicated above it is necessary for the party to make application under one of the four classes mentioned and all residence upon and cultivation and improvement of the tract, which may be required by such law and the regulations thereunder, must be fully complied with.

ASSIGNMENTS.

6. No assignment of a warrant or power of attorney to sell or locate the same executed prior to the date of the issue thereof can be recognized by this office. (Rev. Stat., sec. 2436.) Assignments must be in writing. Delivery only constitutes no transfer.

7. The assignment and acknowledgment are required to be indorsed as far as practicable upon the warrant. Should it be found necessary to write the entire assignment on a separate paper, which can only occur when prior assignments or acknowledgments have filled entirely the blank space on the warrant, it must be so attached as to show positively that the warrant assigned was in the hands of the party making the transfer. In such cases the signature of the assignor must be affixed in the presence of the officer

before whom it is acknowledged, who must certify that at the date of the assignment the warrant was presented by and in possession of the assignor. The assignments should describe the warrant by number, act, and acreage. Parties should avoid discrepancies in spelling and write their full Christian names and surnames.

8. The same requirement must be observed in preparing acknowledgments of powers of attorney to sell or locate bounty-land warrants.

9. Blank assignments are void, and will not be recognized by this office. The name of an assignee should be written in the assignment before the warrant is sent to the local or General Land Office. Evidence that such assignee procured the warrant for value under the blank assignment may be required.

10. Each assignment or power of attorney must be attested by two subscribing witnesses. The mark of a witness will not be recognized.

11. A person to whom a warrant is transferred will not be recognized as a legal attesting witness to the assignment, nor as a proper officer to take the acknowledgment thereof.

12. The execution of assignments is required to be acknowledged by the assignor in the presence of a register or receiver of a land office, a judge or clerk of a court of record when authorized to take acknowledgments, a notary public, justice of the peace, a commissioner of deeds, or a United States commissioner, who shall certify to the fact of the acknowledgment and to the identity of the assignor. The official seal of said court, notary public, or commissioner shall be affixed to the certificate. When the acknowledgment is taken before a justice of the peace or other officer without an official seal (except a register or receiver of a land office), it must be accompanied by an additional certificate under seal of proper authority, establishing the official character of such official and the genuineness of his signature.

Powers of attorney must be acknowledged in like manner.

13. Assignments executed by unmarried females must be accompanied by evidence that they have attained the age of 21 years.

14. Assignments executed by a commissioner, or other designated person acting under a decree of court, must be accompanied by a duly certified copy of such decree in which all the proceedings should be recited, and from which it must appear that due, proper, and legal notice of the proceedings had been given to all parties in interest. The jurisdiction of the court must appear. Where assignments can not be procured, the Commissioner of the General Land Office will determine the title to a bounty-land warrant according to the principles and usages of law and equity.

15. Where two assignments exist executed by the same party in favor of different individuals, whether the assignment first in time has been completed or not, to make the second assignment available it must be established

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by evidence satisfactory to the General Land Office, either that no title passed under the first assignment or that all claims thereunder have been transferred to the second assignee, renounced, or abandoned.

16. When the name of a person has been inserted in an assignment of a warrant and erased, there should be filed evidence satisfactory to this office consisting of an affidavit duly authenticated, of the assignor or party or parties by whom said name was inserted and the erasure made, fully explaining the facts and circumstances of such insertion and erasure, and stating that no transfer or delivery of said warrant was made to the party whose name had been so inserted, and that the ownership or custody of said warrant had not been changed by such insertion, which affidavit shall be accompanied by satisfactory evidence that a copy of the same has been served personally or by registered letter upon the party whose name was inserted. The affidavit should set forth that the further object thereof is to afford such party an opportunity to file a protest in the General Land Office against the use of the warrant. When the name of a bona fide assignee has been erased from a transfer, an assignment from said assignee to the present holder of the warrant will be required to perfect the title to the warrant. Material erasures in powers of attorney must be satisfactorily explained.

17. When the assignment of a warrant is executed in a foreign country, and the acknowledgment taken by an officer authorized by the laws thereof to perform such duties, the attestation of the American consul in such country should be obtained as to the official character and genuineness of the signature of such official. If the official character, etc., of the foreign officer is attested by a consular agent of such foreign Government residing in this country, the latter's official character must be certified by the diplomatic representatives of such Government in the United States. When such assignments are executed in a foreign language duly authenticated translations thereof must be furnished. Secretaries of legation and consular officers of the United States are authorized to take acknowledgments, but they must certify the same under their official seals.

18. When the persons named as warrantees are described in the warrant as minors, their assignments thereof must be accompanied by satisfactory evidence that they had attained their majority at the date of the transfer.

19. When an assignment has been executed and witnessed, but not acknowledged, it may be proved in open court, but a certified transcript of the proceedings must be attached to the warrant. Such unacknowledged assignment may also be established to the satisfaction of the General Land Office by competent evidence. When such assignment has not been properly attested, it must be made anew.

20. When an assignment is made by an Indian residing among whites the prescribed form will be adopted with this addition, that the officer taking the acknowledgment shall certify that the Indian is capable of contracting the amount paid for the warrant, and that he saw the same paid to the Indian.

21. Where it is made by an Indian holding tribal relations, his identity and ability to contract must be certified by the superintendent of Indian Affairs or Indian agent, either of his own knowledge or on the testimony

of the chiefs certifying to the amount paid for said warrant; that the same was paid in his presence; and that the transaction was fair and regular. In either case, if the amount paid is not a fair consideration, the assignment will be disregarded.

22. Where a warrant for the service of an Indian is issued or descends to minors who no longer retain their tribal relations, it must be located or sold by a guardian duly appointed and authorized by the proper court for that purpose.

Where the minor or minors retain their tribal relations, the agent or superintendent must certify that they are entitled to the warrant under the laws, usages, and customs of the tribe; and when sold or located, that it was done by the guardian or such proper representative as, according to said laws, usages, and customs, was fully authorized.

Where the signature of a superintendent or an Indian agent is required, the genuineness of the signature of that officer must be certified to by the Commissioner of Indian Affairs.

23. Prior to June 3, 1858, bounty-land warrants were regarded as real estate. Consequently a transfer of a warrant before that date by an administrator must be accompanied by evidence that the same was made in pursuance of an order of court for the sale of the real estate of the decedent.

By the act of June 3, 1858 (11 Stat. 308), bounty-land warrants were declared to be personal chattels, and, as such, assignable by the warrantees, by their widows in certain cases, by their heirs or legatees, or by the legal representatives of the deceased claimant "for the use of the heirs or legatees only."

It follows that the right to assign inures to the assignees of the vendors named above, and to their heirs, legatees, or legal representatives; but these latter are not required to assign "for the use of the heirs or legatees only."

24. Where a warrant has been issued in the name of a deceased soldier, who had applied therefor before his death, the title thereto is declared by section 2444, Revised Statutes, to vest in the widow, if there be one, and if there be no widow, then in the heirs or legatees of the claimant.

25. If the claimant died and left a widow, who also was deceased before the issue of the warrant, then the title thereto vests in the heirs or legatees of the warrantee.

26. To make a warrant issued in the name of a deceased person available it should be accompanied by a certificate under seal from the proper court having probate jurisdiction, showing the fact of the death of the warrantee at a specified date and place, and whether he left a widow, giving her name, if there was one. If there was no widow the said certificate should state whether the warrantee died testate or intestate and give the names of all his heirs at law, specifying adults and minors. Where the assignee of a warrant is deceased a similar certificate should be exhibited setting forth the fact, time, and place of death, his testacy or intestacy, and, in the event he left no will, the names, ages, and places of residence of all the heirs.

27. If it shall appear from such certificate that the warrantee died before the issue of the warrant and left a widow, the assignment of such widow, her heirs, or legal representatives will be a sufficient conveyance of the warrant.

28. If the warrantee died after the issue of the warrant, or if he died before such issue and left no widow, the title vests in his heirs at law or legatees.

29. If he died intestate his heirs, shown to be such by the required certificate of court, may assign the warrant, the adults for themselves and the minors by their guardians, who shall file with the warrant a certified copy of their letters of guardianship or a certificate from the clerk of the proper court stating that such letters had been issued and that they were in force at the date of the assignment.

Or the administrator of the estate of the deceased warrantee who died intestate may assign the warrant "for the use of the heirs or legatees only," upon filing therewith a certified transcript of the letters of administration or a certificate from the clerk of the proper court that the said letters had been issued and that they were in force at the date of the assignment. Satisfactory evidence may also be required to show that the administrator was appointed at the instance of the heirs or proper parties in interest and transferred the warrant for their benefit.

30. If the warrantee or his assignee died testate a certified transcript of the will must accompany the warrant. If the will specifically disposes of the warrant the legatee or legatees may assign, if adults, in the usual form; if minors, by their guardians as aforesaid. If the will does not specifically dispose of the warrant the executor of the estate of the warrantee may assign "for the use of the heirs or legatees only," but in that case a certified transcript of the letters testamentary or a certificate from the proper authority that such letters had been granted and were in force at the date of the assignment must accompany the transfer.

31. An assignment executed by an administrator de bonis non, with the will annexed, of the estate of the deceased warrantee or transferee must be accompanied by evidence of his authority to act as required in the case of an administrator of the estate of a warrantee who died intestate.

IDENTIFICATION OF LANDS PATENTED IN SATISFACTION OF LAND WARRANTS.

32. Inquiries are constantly being received in this office to ascertain whether a particular soldier has received a grant of land on account of military service. These inquiries are often for the purpose of obtaining information in order to qualify applicants for eligibility in the National Society, Daughters of American Revolution.

33. In order that this office may best answer such inquiries, it is suggested that as much of the following information as is available be furnished:

- (a) The full name of the soldier.
- (b) The period of his service.
- (c) The State from which he entered the service.
- (d) The date of his death.
- (e) The name of his widow.
- (f) The number of the warrant, the acreage, and the act of Congress under which the warrant was issued.
- (g) Legal description of the land upon which the warrant is supposed to have been located.
- (h) If the legal description is not known, describe the land with respect to its distance and direction from some town or city, naming the State in which it is supposed to be located.

34. The public lands in those States bearing the names of the original 13 colonies, also in Kentucky, Maine, Tennessee, Texas, Vermont, and West Virginia, were disposed of by the State authorities. Therefore, this office has no record of land grants, warrant locations, or land entries made therein and it is suggested that any grant made in such States would probably have been made by the State authorities.

35. The following is a list of officials to be addressed relative to lands in the States mentioned:

Connecticut,	The State Treasurer, Hartford.
Delaware,	Chairman, Public Lands Commission, Dover.
Georgia,	Secretary of State, Atlanta.
Kentucky,	Auditor for State, Frankfort.
Maine,	State Land Agent and Forest Commissioner, State House, Augusta.
Maryland,	Land Commissioner, Annapolis.
Massachusetts,	Department of Conservation, State House, Boston.
New Hampshire,	State Forester, Concord.
New Jersey,	Board of Conservation and Development, Trenton.
New York,	Commissioner of Land Office, Albany.
North Carolina,	Secretary of State, Raleigh.

Pennsylvania, Secretary of Internal Affairs, Harrisburg.
 Rhode Island, No State land.
 South Carolina, Secretary, Sinking Fund Commission, Columbia.
 Tennessee, State Board of Control, Nashville.
 Texas, Commissioner, General Land Office, Austin.
 Vermont, Commissioner of Forestry, Montpelier.
 Virginia, Register of Land Office, Richmond.
 West Virginia, State Tax Commissioner, or State Auditor, Charleston.

WILLIAM SPRY,

Commissioner.

Approved: January 8, 1929.

E. C. FINNEY,

First Assistant Secretary.

CIRCULAR NO. 1180.
REGULATIONS FOR THE SALE OF LOTS IN THE
SECOND ADDITION TO WOLF POINT, MONTANA

1285221 "K" MK

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 27, 1928.

Register,

Great Falls, Montana.

Sir:

The plat of survey of the Second Addition to Wolf Point townsite, Montana, was accepted February 11, 1922.

A photolithographic copy of this plat is inclosed which you will officially file in your office.

The lots within said addition to the townsite were appraised October 24, 1928, and the appraisal approved December 6, 1928. A duplicate copy of the appraisal list is also inclosed.

Block 64 of said townsite was set aside and reserved for the Reclamation Service by departmental order of May 1, 1922. Block 75 is designated on the plat as a "Public Reserve."

The remaining lots and blocks within said townsite as shown on said plat of survey and on the attached list will be offered for sale at public auction June 1, 1929, under the terms and conditions of the act of May 30, 1908 (35 Stat. 558, 563), and section 2321, Revised Statutes, in your office and under your supervision at not less than the appraised value thereof, in the manner and under the terms hereinafter prescribed.

After all unreserved and undisposed of lots have been offered you will close the sale and report to this office the result of same.

Thereafter, the unsold and unreserved lots will be subject to private sale for cash at their appraised prices.

The lots in Block 8 and Block 67, on which a public highway was laid out, under authority of the act of March 4, 1915 (38 Stat. 1188), which highway is not shown on said plat of survey, will be sold, subject to such right of way.

Preemption Proof.--Prior to the date of public sale and on the day these lands become subject to disposal after the filing of the plat, a preemption right of purchase at the appraised price of not exceeding five

lots, of which the purchaser may be in possession and on which he or she has substantial improvements is accorded to any person who at the date the appraisers commenced their work upon the land, was an actual resident upon any one lot, to secure which he must, file in your office his application therefor, and therein state the date of settlement, and the value and character of his improvements, and that such residence and improvement has been maintained on the lot to the date of his application to enter.

The notice of intention to make proof must be published twice consecutively, in a weekly newspaper (or 14 times if in a daily newspaper) of general circulation in the townsite prior to the date set for proof, at the applicant's expense.

In order that all bona fide preemption rights may be determined prior to the date of public sale, claimants will give notice in time to submit proof in advance of the public sale.

Proof may be made before you or before any officer duly authorized by law and must show by record or documentary evidence, where such evidence is usually required, and where not so required, by the testimony of witnesses: (1) Due publication of the Register's notice; (2) Claimant's age; (3) His citizenship; (4) His actual residence upon one lot and substantial improvements on the other lot or lots included in the application. The proof must embrace the testimony of the applicant and of at least two of his advertised witnesses. The purchase price of the lot or lots must be paid when proof is made.

Qualifications.---To qualify as a preemption claimant for lots at the appraised price, settlement must be shown at the time of the commencement of the appraisal and maintained to date of proof. A claim is not necessarily forfeited by the settler transferring his interest to another subsequently to the approval of the right, but patent, if issued will be in the name of the settler and not of the transferee.

Manner.---Bids may be made either in person or by agent, but not by mail, nor at any time or place other than the time and place when the lots are offered hereunder, and any person may purchase any number of lots for which he is the highest bidder. Bidders will not be required to show any qualification as to age, citizenship, or otherwise.

If any successful bidder fails to make the payment required on the date of the sale the lot awarded to him shall be reoffered for sale on the following day, or if the sale has been closed then such lot will be considered as offered and unsold.

Terms.---Payments will be required as follows: No lot will be disposed of for less than \$10, and any lot sold for \$10 must be paid for on the day it is sold; the minimum of \$10 and at least 25 per centum of the bid price of each lot sold for more than \$10 must be paid on the date of the sale and the remainder, if the price bid is \$50 or less, within one year from the date of the sale; if the price bid be over \$50 and less than \$100, 75 per centum of the cost may be divided into two equal payments due, respectively, one and two years from the date of the sale; if the price bid be \$100 or more, the

75 per centum remaining unpaid may be divided into three equal payments due, respectively, one, two, and three years from the date of sale.

No entry will be allowed until payment has been made in full for the lot, but in case of partial payment you will issue a nontransferable memorandum certificate in duplicate showing the amount of the bid and the terms of the sale, and reciting the right of the purchaser to make entry upon completing the payments; in such case you will issue a receipt for the money paid, and assign a current serial number thereto. Nothing herein will prevent the transfer of the interests secured by the purchase and the partial payment of the lot, by deed, but the assignee will acquire no greater right than that of the original purchaser and the final entry and patent will issue to the original purchaser when all payments are made.

Forfeiture.--If any person who has made partial payment on the lot purchased by him fails to make any succeeding payment required under these regulations at the date such payment becomes due, the money deposited by such person for such lot will be forfeited and the lot, after forfeiture is declared, will be subject to disposition.

All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously or which will in any way hinder or embarrass the sale, and all persons so offending will be prosecuted under section 59 of the Criminal Code of the United States.

On the filing of the plat of survey and on receipt of these regulations you will forward a copy hereof to the postmaster at Wolf Point and conspicuously post a copy hereof in your office and a notice to the effect that the official plat of such townsite has been filed in your office and that you are ready to receive applications by the occupants of lots to make proof for and purchase the lots occupied by them.

You will also forward such notice to the persons shown on the appraisal schedule attached to be occupying or claiming lots in the townsite.

The newspapers in the vicinity should be given notice of this sale as an item of news and such other publicity should be given it as can be done without expense to the Government.

All lots purchased at the same time by the same person for cash should be included in one certificate with one serial number in order to prevent unnecessary multiplicity of patents.

Lots sold at private sale after this sale is closed should be accompanied by an application therefor. Certificate should issue upon payment of the purchase price.

Mimeographed copies hereof will be forwarded you for distribution when available.

Very respectfully,

WILLIAM SPRY,

Approved: December 27, 1928.

Commissioner.

E. C. FINNEY,

First Assistant Secretary.

APPRAISEMENT OF LOTS TO BE OFFERED AT
PUBLIC SALE IN THE SECOND ADDITION TO WOLF POINT,
MONTANA, ON JUNE 1, 1929.

Lot Nos.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Block 8										50	50	50	50	25	50
9				10	10	50									
15							10	10	10	10	10	10			
16							10	10	10	10	10	10			
27							10	10	10	10	10	10			
28							20	15	15	20	20	20			
39							20	20	20	20	20	20			
65	10	10	10	10	10	10	10	10	10	10	10	10			
66	15	15	15	15	15	15	10	10	10	10	10	10			
67	25	25	25	30	30	50	25	25	10	10	10	10			
68	10	10	10	10	10	10	10	10	10	10	10	10			
69	10	10	10	10	10	10	10	10	10	10	10	10			
70	10	10	10	10	10	10	10	10	10	10	10	10			
71	10	10	10	10	10	10	10	10	10	10	10	10			
72	10	10	10	10	10	10	10	10	10	10	10	10			
73	10	10	10	10	10	10	10	10	10	10	10	10			
74	10	10	10	10	10	10	10	10	10	10	10	10			
76	10	10	10	10	10	10	10	10	10	10	10	10			
77	10	10	10	10	10	10	10	10	10	10	10	10			
78	10	10	10	10	10	10	10	10	10	10	10	10			
79	10	10	10	10	10	10	10	10	10	10	10	10			
80	10	10	10	10	10	10	10	10	10	10	10	10			
81	10	10	10	10	10	10	10	10	10	10	10	10			
82	10	10	10	10	10	10	10	10	10	10	10	10			
83	10	10	10	10	10	10	10	10	10	10	10	10			
84	10	10	10	10	10	10	10	10	10	10	10	10			
85	15	15	15	15	15	15	15	15	15	15	15	15			

Practically all of said lots contain 7,000 square feet.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(70)

ARIZONA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

RESTORATION FROM PUBLIC WATER RESERVE.

About 375 acres in Coconino County, Arizona, located between the Kaibab National Forest and the Navajo Indian Reservation, Phoenix land district, open to entry only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days from February 8, 1929. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after May 10, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public. Further information, if desired, may be obtained from the local land office at Phoenix, Arizona.

Date of order January 4, 1929.

Soldiers simultaneous filing period from January 19, 1929, to February 7, 1929, inclusive.

Soldiers preference right period from February 8, 1929, to May 9, 1929, inclusive.

General simultaneous filing period from April 20, 1929, to May 9, 1929, inclusive.

Land open to general disposition May 10, 1929.

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(77)

CALIFORNIA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 940 acres of unreserved, unappropriated public land in Humboldt County, California, will be opened to homestead and desert-land entry on March 5, 1929, at 9 a. m. at the United States land office, Sacramento, California, through the filing of the plat of survey of W $\frac{1}{2}$ of Sec. 32 and all of Sec. 31, T. 1 N., R. 1 W., H. M.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to March 5, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On June 4, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on June 4, 1929.

The land is rough and broken with steep slopes and located on the north slope of a high divide. The soil consists of a layer of loam varying in thickness on bedrock. The timber is heavy fir, tan bark oak, and madrone with alder, laurel, and maple along the streams. The undergrowth is principally tan bark oak with some huckleberry, salal brush, and poison oak. There is no visible mineral outcrop nor evidence of prospecting. There is a settler on the $W\frac{1}{2}$ $W\frac{1}{2}$ of Sec. 31.

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(97)

CALIFORNIA

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 2,240 acres of unreserved, unappropriated public lands in San Diego County, California, will be open to homestead and desert-land entry on February 20, 1929, at 9 a. m. at the United States land office, Los Angeles, California, through the filing of the plat of resurvey of T. 17 S., R. 4 E., S. B. M., California.

The greater portion of the township excepting sections 30 to 36, inclusive, is within the limits of Cleveland National Forest and will not be open to entry under the general public land laws except in the case of valid adverse claims initiated prior to the date when the lands were first withdrawn for forest purposes.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier, have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications any time within 20 days prior to February 20, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening day.

On May 22, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to May 22, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the date of opening of the lands to general disposition.

The character of the land is rough and mountainous with an elevation of 2,000 to 4,300 feet above sea level. The soil is sandy loam, rough and gravelly. Timber consists of oak, spruce, and cottonwood with a dense undergrowth of chemisal, chaparral, manzanita, lilac, and oak brush. The township has been thoroughly prospected for minerals and there is an active feldspar mine in section 25.

(75)

COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 2,400 acres of unreserved, unappropriated public lands in Rio Blanco County, Colorado, will be opened to homestead and desert-land entry on February 12, 1929, at 9 a. m. at the United States land office Denver, Colorado, through the filing of the plats of resurvey of T. 1 N., Rs. 90 and 91 W., 6th P. M., Colorado.

The greater portion of the lands in both townships is within the limits of White River National Forest, other portions are reserved for power site purposes. These lands will not be opened to entry under the general public land laws except in the case of valid adverse claims initiated prior to the respective dates of the withdrawals for forest or power site purposes.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These persons may present their applications at any time within the 20-day period prior to February 12, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 14, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to May 14, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the date of opening to general disposition.

T. 1 N., R. 90 W.--This township is very rough and mountainous, excepting the valleys of White River and Marvine Creek. The slopes are covered with dense timber and undergrowth. The north slopes are given to pine, spruce, and balsam, while the south slopes are covered by aspen, oak, service, sage, and buck brush. The township is well watered. The soil in the valley bottoms is a sandy loam and produces good crops of hay, grain, and the hardier vegetables. There are numerous settlers in the valleys. No indication of mineral was noted.

T. 1 N., R. 91 W.--The land is very rough and mountainous. Timber consists of generally heavy aspen, pine, spruce, and balsam, most of which is of no commercial value. There are numerous streams of clear, cold water in the township, the largest being White River, which flows southwesterly through Secs. 25, 36, and 35. The soil in the valley bottoms is a fertile sandy loam which produces good crops of hay, grain, and the hardier vegetables. The principal industry is stock raising. No indication of mineral was noted.

(79)
COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY.

Approximately 10,900 acres of unreserved, unappropriated public land in Moffat County, Colorado, will be opened to homestead and desert-land entry on February 12, 1929, at 9 a. m. at the United States land office, Denver, Colorado, through the filing of the plat of resurvey of a portion of T. 11 N., R. 103 W., 6th P. M., Colorado.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to February 12, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 14, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to May 14, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the date of opening of the lands to general disposition.

The character of the land is rough and broken, lying on the south slope of Cold Spring Mountain. The soil is mostly rocky, but there are a few small areas suitable for farming where the soil is fertile and when irrigated produces good crops of hay, grain, vegetables, and fruit. Timber on the land consists of cedar, pinon, pine, and mountain mahogany with an undergrowth of sage. The nearest railroad point is Rock Springs, Wyoming, about 90 miles northward.

(80)

COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY.

Approximately 18,200 acres of unreserved, unappropriated public land in Moffat County, Colorado, will be opened to homestead and desert-land entry on February 12, 1929, at 9 a. m. at the United States land office, Denver, Colorado, through the filing of plats of resurvey of T. 6 N., R. 102 W., 6th P. M.; T. 8 N., R. 102 W., 6th P. M., and T. 8 N., R. 103 W., 6th P. M., Colorado.

Portions of the lands in T. 6 N., R. 102 W., and in T. 8 N., R. 103 W., are included in power site reserves and will not be opened to entry under the general public land laws except in the case of valid adverse claims initiated prior to the respective dates of withdrawal for the power site reserves.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to February 12, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 14, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to May 14, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the date of opening of the lands to general disposition.

T. 6 N., R. 102 W.--The character of the land in this township is rough and mountainous, broken by Hell's Canyon; the soil is rocky; timber consists of a scattering growth of cedar, pinon, pine and mountain mahogany. There is a small portion of river bottom land on the line between Secs. 17 and 18 where one Charles Mandell has settled and has a small meadow and orchard. There is very little water in the township. There are no surface indications of metalliferous minerals.

T. 8 N., R. 102 W.--The land is mountainous. The soil is red, sandy loam very shallow but fertile. The climate is quite dry, vegetation being cedar, pinon, pine, sage, and mountain mahogany. Water is scarce, there being only a few springs in the township. The lands are used mostly for stock-raising purposes. There are no surface indications of metallic minerals.

T. 8 N., R. 103 W.--This township lies on a high broken mesa, cut by Lodore Canyon of Green River, which varies in depth from 2,000 to 3,000 feet, and which flows in a general southwesterly direction through the area surveyed. The soil on the mesa is very fertile when irrigated. There is some cedar and pinon timber on the slopes of the canyon with pine and spruce on the mesa. Undergrowth consists of sage and mountain mahogany. Stock raising is the principal occupation of the settlers, although good crops of hay, grain, and vegetables can be raised. The township is too far from market, however, to make the raising of produce profitable. No indication of mineral was noted.

(84)
COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY.

Approximately 5,300 acres of unreserved, unappropriated lands in Garfield County, Colorado, will be opened to homestead and desert-land entry on February 12, 1929, at 9 a. m. at the United States land office, Denver, Colorado, through the filing of the plat of survey of a portion of T. 6 S., R. 88 W., 6th P. M., Colorado.

A large portion of the lands surveyed is situated within the limits of White River National Forest and will not be opened to entry under the general public land laws except in the case of valid adverse claims initiated prior to the date when the lands were first withdrawn for forest purposes. A small portion is opened to entry subject to the provisions of section 24 of the Federal water power act of June 10, 1920 (41 Stat. 1063).

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to February 12, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 14, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on May 14, 1929.

The land is mountainous in character. The soil is a rocky loam. Timber consists of spruce, pine, and balsam of small commercial value. No indications of metallic minerals were found.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

29768

COLORADO:

OPENED TO ENTRY THROUGH SURVEY.

Approximately 22,000 acres of unreserved, unappropriated public lands in Garfield County, Colorado, will be opened to homestead and desert-land entry on February 12, 1929, at 9 a. m. at the United States land office at Denver, Colorado, through the filing of the plat of resurvey of T. 7 S., R. 100 W., 6th P.M., Colorado.

Part of the lands in this township have been classified as coal land and entries therefor must be made subject to the conditions, reservations, and provisions of the act of June 22, 1910 (36 Stat. 583), as to coal. Other portions have been classified as valuable as a source of petroleum and nitrogen, and entries for these lands must be made subject to the conditions, provisions, and reservations of the act of July 17, 1914 (38 Stat. 509), as to petroleum and nitrogen.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These persons may present their applications at any time within the 20-day period prior to February 12, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 14, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to May 14, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the date of opening to general disposition.

The character of the land is rough and mountainous. The soil is stony, clay loam, sandstone, and oil shale. Timber consists of aspen and spruce, some of which is available for ties and mine props. There is an undergrowth of small timber, brushes, and native grasses, which generally afford good grazing for stock. Kimball Creek flows easterly through the northern portion of the township, while the southern portion is drained by the north and middle forks of Dry Fork Creek which also flows in a general easterly direction. There is some land in the valleys of the streams, which is valuable for agricultural purposes. The higher portions of the township are composed largely of oil shale deposits and are covered almost entirely by mineral placer locations.

(93)

COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 230 acres of unreserved, unappropriated public land in Eagle County, Colorado, will be opened to homestead and desert-land entry on February 12, 1929, at 9 a. m. at the United States land office, Denver, Colorado, through the filing of the plats of resurvey of Sec. 6, T. 6 S., R. 85 W., and Sec. 1, T. 6 S., R. 86 W., 6th P. M., Colorado.

The south half of both sections is within the limits of Holy Cross National Forest and a part of Sec. 1, T. 6 S., R. 86 W., is withdrawn for stock-driveway purposes. These tracts will not be opened to entry under the general public land laws except in the case of valid adverse claims initiated prior to the respective dated of the withdrawals for forestry or stock-driveway purposes, as the case may be.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to February 12, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 14, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to May 14, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the date of opening of the lands to general disposition.

Sec. 6, T. 6 S., R. 85 W.--This section is entirely mountainous. The surface is covered with dense undergrowth and a small amount of scattering aspen, spruce, fir, cedar, and pinon timber. There are two small streams in the section. Some grazing for stock is afforded by native grasses. The soil is a sandy clay loam on granite and shale subsoil, rocky in most places, third rate. There are gypsum deposits in the northwestern portion of the section.

Sec. 1, T. 6 S., R. 86 W.--The lands in this section are mountainous with considerable quantities of good spruce, fir, aspen, pinon, and cedar timber along the gulches and dense undergrowth of oak, service, buck, and sagebrush, and small timber. The soil is a heavy clay strongly mixed with gypsum; in the northern and western portion it is generally of poor quality and not well suited to cultivation. There are two small streams in the section. A small amount of grazing is afforded by native grasses. There are a number of large gypsum deposits in the northern and western portions of the section.

(94)
COLORADO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY.

Approximately 15,000 acres of unreserved, unappropriated public land lying mostly in Pitkin County, Colorado, will be opened to homestead and desert-land entry on March 4, 1929, at 9 a. m. at the United States land office, Denver, Colorado, through the filing of the plat of resurvey of T. 8 S., R. 87 W., 6th P. M., Colorado.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 92 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to March 4, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on March 4, 1929.

On June 4, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on June 4, 1929.

The land in this township is generally mountainous, ranging in elevation from 6,400 to 8,800 feet above sea level. There is, however, a wide valley along Roaring Fork River which flows northwesterly through the northeastern portion of the township and smaller valleys along east and west Sopris Creeks in the southern portion of the township. The soil is light clay loam mixed with small shale on shale or granite subsoil in the mountainous portions, with rich alluvial loam of great depth in the valleys which is intensely cultivated. The timber is aspen, spruce, cedar, pinon, cottonwood, and alder of no commercial value. Irrigation of the valley areas has been highly developed, the principal crops being alfalfa, potatoes, and fruit. A branch of the Denver and Rio Grande Western Railroad and a well-constructed highway run roughly parallel to the Roaring Fork River in the northeastern portion of the township. The railroad station of Emma is located in the southeastern corner of the SW $\frac{1}{4}$ of Sec. 12. No indication of metallic mineral was noted.

(68)
IDAHO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 13,939 acres of unreserved, unappropriated public land in Custer and Lemhi Counties, Idaho, will be opened to homestead and desert-land entry on February 12, 1929, at 9 a. m. at the United States land office, Blackfoot, Idaho, through the filing of the plats of survey of T. 11 N., R. 28 E., T. 12 N., R. 24 $\frac{1}{2}$ E., and T. 12 N., R. 25 E., B. M.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to February 12, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 14, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. May 14, 1929.

The land in T. 11 N., R. 28 E., is rough and mountainous; the soil stony with much hard gravel a few inches below the surface. The timber is scattering pine, fir, and spruce, the north of the township being open, rolling and level land devoid of timber. There is a fair growth of grass throughout. Water is scarce and with the exception of Coal Kiln Canon in the extreme northwest portion the water is from a few small springs in the central portion.

The land in T. 12 N., R. 24 $\frac{1}{2}$ E., is open, rolling, covered with a fair growth of grass and well watered by the water from Big Gulch. The soil is stony, third rate.

The land in T. 12 N., R. 25 E., is rough and mountainous with numerous rock slides and cliffs. The soil is stony, third rate, The timber is scattering pine and fir. The southwest portion is good grazing land and well watered, the remainder being of small value for grazing purposes.

There were no settlers in these townships at the time of survey and no indication of metallic mineral was noted.

(85)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

RESTORATION FROM POWER SITE RESERVE UNDER SECTION
24 OF THE FEDERAL WATER POWER ACT.

About 130 acres in Shoshone County, Idaho, near Marble Creek, Coeur d'Alene land office, opened to entry, subject to the terms and conditions of section 24 of the Federal water power act only by ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days from February 27, 1929. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after May 28, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public. Further information, if desired, may be obtained from the local land office at Coeur d'Alene, Idaho.

Date of order January 23, 1929.

Soldiers' simultaneous filing period from February 7, 1929, to February 26, 1929, inclusive.

Soldiers' preference right period from February 27, 1929, to May 28, 1929, inclusive.

General simultaneous filing period from May 8, 1929, to May 27, 1929, inclusive.

Land open to general disposition, May 29, 1929.

(100)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

IDAHO:

OPENED TO ENTRY THROUGH SURVEY.

Approximately 4,280 acres of unreserved, unappropriated public land in Custer County, Idaho, will be opened to homestead and desert-land entry on March 5, 1929, at 9 a. m. at the United States land office, Blackfoot, Idaho, through the filing of the plat of survey of a part of T. 7 N., R. 23 E., B. M., Idaho.

The greater portion of the area included in the survey is within the limits of Lemhi National Forest. A part of the lands not in the forest is embraced in a stock driveway withdrawal. These tracts will not be open to entry under the general public land laws except in the case of valid adverse claims initiated prior to the respective dates of the withdrawals for forest or stock driveway purposes, as the case may be. A small part of the land in the forest is also included in a transmission line right of way and subject to the provisions of section 24 of the Federal water power act of June 10, 1920 (41 Stat. 1063).

Qualified ex-service men of the World War and those persons claiming preference rights to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to March 5, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On June 4, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to June 4, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the date of opening of the lands to general disposition.

The character of the land is rolling and mountainous. The soil is stony, third rate. A small amount of water is found in Secs. 35 and 36, and the western portion is well watered by Navarre Creek. A scattering growth of fir and pine timber is found in the southern portion of the township. The southern tier of sections is highly mineralized and two large reduction plants are located in Sec. 36. There is one agricultural settler in Sec. 8. The nearest supply point is Mackay, Idaho, 6 miles west on the Oregon Short Line Railroad. There is a scant growth of bunch grass in the southern portion of the township, but the greater portion of the township is denuded of grass from sheep grazing.

(81)
MONTANA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 5,075 acres of unreserved, unappropriated public land in Ravalli County, Montana, will be opened to homestead and desert-land entry on February 15, 1929, at 9 a. m. at the United States land office, Great Falls, Montana, through the filing of the plat of completion survey of T. 10 N., R. 20 W., P. M.

The qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to February 15, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 17, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the general public. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on May 17, 1929.

The land lies on the steep east slope of the Bitter Root Mountains. The soil is black loam and very rocky. The timber is pine, fir, and tamarack. The land is suitable for grazing purposes. No indications of mineral deposits were observed.

(95)

MINNESOTA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

An area of 179.10 acres of public land in Marshall County, Minnesota, will be opened to homestead entry on February 23, 1929, at the United States land office, Cass Lake, Minnesota, through the filing of the plat of extension survey in Secs. 17, 18, 19, and 20, T. 157 N., R. 50 W., 5th P. M.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to February 23, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 25, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on May 25, 1929.

All persons are warned, however, that there is pending for the land a railroad selection under the act of August 5, 1892, filed February 1, 1924, by the Great Northern Railway Company, the filing authorized for unsurveyed land.

The land lies within a bend of the Red River of the North and was erroneously omitted from the original survey. It is described as gently rolling, with a deep, rich, black loam soil suitable for agriculture. There is a scattering growth of willow, oak, and cottonwood timber, the most valuable timber having been removed.

(76)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

NEBRASKA:

OPENED TO ENTRY THROUGH SURVEY.

Three hundred and ninety-eight thousand and twenty acres of unreserved, unappropriated public land in Knox County, Nebraska, will be opened to homestead entry on April 23, 1929, at 9 a. m. at the United States land office, Alliance, Nebraska, through the filing of the plat of survey of lands in Secs. 16, 17, and 21, T. 33 N., R. 7 W., 6th P. M., Nebraska.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to April 23, 1929, and applications so received will be treated as though simultaneously filed on the opening date. On July 23, 1929, the land remaining unentered and unreserved will be available for entry under any applicable land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to July 23, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the date of opening of the lands to general disposition.

The area surveyed lies immediately adjacent to the Missouri River, and consists of low bottom lands. The soil is sandy loam, sand and gumbo. A considerable portion of the area is now under cultivation. Between an old bank of the river, which extends in a northwesterly and southeasterly direction through approximately the center of the area, and the present river bank, the land is subject to annual inundations during the "June rise" of the Missouri River, and is principally valuable for grazing purposes. It supports a dense growth of cottonwood, timber and undergrowth of willow, young timber, and vines. No indication of mineral was noted. There are two settlers in Secs. 16, two in Sec. 21, and one in Sec. 17. It appears likely that these persons will assert their claims for the land.

(69)
NEVADA:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY.

Approximately 37,000 acres of unreserved, unappropriated lands in Lander and Eureka Counties, Nevada, will be opened to homestead and desert-land entry on February 1, 1929, at 9 a. m. at the United States land office, Carson City, Nevada, through the filing of the plats of survey of T. 28 N., R. 41 E., and T. 24 N., Rs. 48 $\frac{1}{2}$ and 49 E., M. D. M., Nevada.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to February 1, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 3, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. These parties may present their applications at any time within 20 days prior to May 3, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

T. 24 N., R. 49 E.--Land: mountainous and rolling mountainous. Timber: scattering juniper and pinon pine. The entire area is covered with a fair growth of grass and affords excellent grazing. There are numerous large springs located in the township. Mineral indications were observed along the west slope of the divide in Secs. 18, 20, and 29.

T. 24 N., R. 48 $\frac{1}{2}$ E.--Land: mountainous and rolling mountainous. Soil: gravelly and rocky clay. Timber: scattering juniper and pinon pine. The entire area is covered with a fair growth of grass and is suitable for grazing purposes. No mineral indications were observed.

T. 28 N., R. 41 E.--Land: mountainous and rolling mountainous suitable for grazing purposes. Timber: scattering scrub juniper. Soil: sandy clay. A well-travelled road leading from Battle Mountain, Nevada, to Jersey Valley traverses the township. No settlers were residing in the township at the time of the survey. Daisy Creek flowing in a southerly direction through the center of the township affords water for grazing purposes. No indications of mineral deposits were observed in the township.

(74)

OREGON:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT. 218).

Three hundred and ninety-five and fifty-three one hundredths acres, of which area 320.20 acres described as $N\frac{1}{2}$ $NE\frac{1}{4}$, $N\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, $SW\frac{1}{4}$ $NE\frac{1}{4}$, $N\frac{1}{2}$ $NW\frac{1}{4}$, $S\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 1, T. 6 S., R. 2 E., and $E\frac{1}{2}$ $NE\frac{1}{4}$ of Sec. 19, T. 6 S., R. 3 E., W. M., are located in Clackamas County, and 75.33 acres described as Lot 1 and $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 29, T. 16 S., R. 2 E., W. M., are located in Lane County. All of this land will be opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat. 218), for a period of 91 days beginning February 12, 1929. Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after May 14, 1929, the land, if remaining unentered, will be subject to homestead entry by the general public. An entryman must pay 50 cents per acre when making entry and \$2 per acre when final proof is offered.

The land has been restored from Executive withdrawal of July 31, 1916, and it has been ordered that the same be opened to entry under the general provisions of the homestead laws as modified by the act of June 9, 1916 (39 Stat. 218).

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(78)

OREGON:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT. 218).

One thousand and eighty acres in T. 7 S., R. 3 E., W. M., Clackamas County, Roseburg land district, restored from Executive withdrawal of July 31, 1916, and opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat. 218), for a period of 91 days beginning February 18, 1929. Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after May 21, 1929, any of the land remaining unentered will be subject to homestead entry by the general public. A person making entry of this land must pay 50 cents per acre when entry is allowed and \$2 per acre when final proof is made. Entry for any of this land would be subject to a reservation of power rights under section 24 of the Federal water power act.

(82)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OREGON:

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT. 218).

Seven hundred and fifty-seven and twenty-one one hundredths acres in Sec. 25, T. 1 S., R. 4 E.; Secs. 5, 19, and 29, T. 7 S., R. 4 E.; and Sec. 25, T. 2 S., R. 6 E., W. M., Clackamas County, Roseburg land district, restored from Executive withdrawal of July 31, 1916, and opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat. 218), for a period of 91 days beginning February 20, 1929. Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after May 22, 1929, any of the land remaining unentered will be subject to homestead entry by the general public. A person making entry of this land must pay 50 cents per acre when entry is allowed and \$2 per acre when final proof is made. Entry for any of this land would be subject to a reservation of power rights under section 24 of the Federal water power act.

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(83)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OREGON:

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT. 218).

Five hundred and three and eighty-eight one hundredths acres of which 80 acres are in Lane County, Sec. 23, T. 22 S., R. 1 W., Sec. 3, T. 21 S., R. 2 W., and 423.88 acres in Douglas County; Sec. 15, T. 26 S., R. 2 W., Secs. 25, 29, and 33, T. 30 S., R. 3 W., W. M., Roseburg land district, restored from Executive withdrawal of July 31, 1916, and opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat. 218), for a period of 91 days beginning February 21, 1929.

Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after May 23, 1929, any of the land remaining vacant will be subject to homestead entry by the general public. A person making entry of this land must pay 50 cents per acre when entry is allowed, and \$2 per acre when final proof is made. Entry for any of this land would be subject to a reservation of power rights under section 24 of the Federal water power act.

(86)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OREGON:

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT. 218).

Three hundred and forty-two and thirty one hundredths acres in Secs. 7 and 17, T. 26 S., R. 4 W., Secs. 15, 21, and 25, T. 30 S., R. 4 W., W. M. Douglas County, Roseburg land district, restored from Executive withdrawal of July 31, 1916, and opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat. 218), for a period of 91 days beginning February 25, 1929.

Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after May 28, 1929, any of the land remaining unentered will be subject to homestead entry by the general public. A person making entry of this land must pay 50 cents per acre when entry is allowed and \$2 per acre when final proof is made. Entry for any of this land would be subject to a reservation of power rights under section 24 of the Federal water power act.

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(87)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OREGON:

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT. 218).

Four hundred and twenty-nine and sixty-two one hundredths acres in Sec. 7, T. 26 S.; R. 6 W., Sec. 31, T. 22 S., R. 7 W., and Secs. 9, 19, and 21, T. 23 S., R. 7 W., W. M., Douglas County, Roseburg land district, restored from Executive withdrawal of July 31, 1916, and opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat. 218), for a period of 91 days beginning February 27, 1929. Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after May 29, 1929, any of the land remaining unentered will be subject to homestead entry by the general public. A person making entry of this land must pay 50 cents per acre when entry is allowed and \$2 per acre when final proof is made. Entry for any of this land would be subject to a reservation of power rights under section 24 of the Federal water power act.

(88)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OREGON:

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT. 218).

Three hundred and seventy-four and seventy-nine one hundredths acres described as Lot 4, Sec. 11; Lots 1, 2, 3, 7, and 8, Sec. 13; Lot 4, Sec. 15; Lot 2, Sec. 17; Lots 1, 4, 5, and 11, Sec. 21; Lots 4 and 5, Sec. 29; Lot 3, Sec. 33, T. 24 S., R. 7 W., W. M., Douglas County, Roseburg land district, restored from Executive withdrawal of July 31, 1916, and opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat. 218), for a period of 91 days beginning February 27, 1929.

Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after May 29, 1929, any of the land remaining unentered will be subject to homestead entry by the general public. A person making entry of this land must pay 50 cents per acre when entry is allowed and \$2 per acre when final proof is made. Entry for any of this land would be subject to a reservation of power rights under section 24 of the Federal water power act.

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(99)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OREGON:

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT. 218).

Four hundred and seventy-two acres, of which 82.06 acres described as Lots 15 and 16, Sec. 13, T. 16 S., R. 8 W., W. M., are in Lane County, and 389.94 acres are in Douglas County, described as Lot 1, Sec. 5, T. 22 S., R. 8 W., Lot 1, Sec. 11, T. 23 S., R. 8 W., Lot 6 and $SE\frac{1}{4} SE\frac{1}{4}$ of Sec. 13, $NW\frac{1}{4} SW\frac{1}{4}$ of Sec. 17, T. 22 S., R. 9 W., Lot 4, $SW\frac{1}{4} NE\frac{1}{4}$, $S\frac{1}{2} NW\frac{1}{4}$, $NW\frac{1}{4} SE\frac{1}{4}$, $NW\frac{1}{4} SW\frac{1}{4}$ of Sec. 35, T. 22 S., R. 10 W., W. M., Roseburg land district, restored from Executive withdrawal of July 31, 1916, and opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat. 218), for a period of 91 days beginning March 6, 1929. Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after June 5, 1929, any of the land remaining unentered will be subject to homestead entry by the general public. A person making entry of this land must pay 50 cents per acre when entry is allowed and \$2 per acre when final proof is made. Entry for any of this land would be subject to a reservation of power rights under section 24 of the Federal water power act.

(73)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

SOUTH DAKOTA:

RECOVERED THROUGH CANCELLATION OF PATENT.

Six hundred and forty acres in Sec. 13, T. 11 N., R. 3 E., B. H. M., in Butte County, about 20 miles northeast of the town of Bellefourche, opened to entry only by ex-service men of the World War under the homestead or desert-land laws for a period of 91 days, beginning February 12, 1929. Applications of such ex-service men may be presented at the district land office at Pierre during the 20 days prior to that date. On and after May 14, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through cancellation of patent; is grazing in character, and is enterable under the enlarged and stock-raising homestead laws. Further information, if desired, may be obtained from the United States land office at Pierre, South Dakota.

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(89)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OREGON:

RESTORATION UNDER ACT JUNE 9, 1916 (39 STAT. 218).

Two hundred and eighty-two and ninety-five one hundredths acres described as Lot 1 Sec. 5; Lots 7 and 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, Lot 1 Sec. 9, Lot 3 Sec. 15, Lots 5 and 6 Sec. 21, T. 25 S., R. 7 W., W. M., Douglas County, Roseburg land district, restored from Executive withdrawal of July 31, 1916, and opened to entry only by ex-service men of the World War under the general provisions of the homestead law as modified by the act of June 9, 1916 (39 Stat. 218), for a period of 91 days beginning March 1, 1929. Applications of such ex-service men may be presented at the United States land office at Roseburg, Oregon, during the 20 days prior to that date. On and after May 31, 1929, any of the land remaining unentered will be subject to homestead entry by the general public. A person making entry of this kind must pay 50 cents per acre when entry is allowed and \$2 per acre when final proof is made. Entry for any of this land would be subject to a reservation of power rights under section 24 of the Federal water power act.

(90)

UTAH:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPENED TO ENTRY THROUGH SURVEY.

Approximately 267 acres of unreserved, unappropriated land in Garfield County, Utah, will be opened to homestead and desert-land entry on February 21, 1929, at 9 a. m. at the United States land office, Salt Lake City, Utah, through the filing of the plat of completion survey of T. 36 S., R. 5 W., S. L. M., Utah.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 92 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to February 21, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on February 21, 1929.

On May 24, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. These parties may present their applications at any time within 20 days prior to May 24, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on May 24, 1929.

The land, located in Secs. 24 and 25, is rolling and mountainous. The soil is clay and sandy loam. The timber is juniper, pinon, spruce, and scrub red cedar. The timber has no commercial value except for firewood and fence posts. The land is suitable for grazing purposes. No indications of mineral deposits were observed.

(91)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

UTAH:

OPEN TO ENTRY THROUGH SURVEY.

Approximately 22,000 acres of unreserved, unappropriated land in San Juan County, Utah, will be opened to homestead and desert-land entry on February 21, 1929, at 9 a. m. at the United States land office, Salt Lake City, Utah, through the filing of the plat of survey of fractional T. 29 $\frac{1}{2}$ S., R. 23 E., and completion survey of T. 30 S., R. 23 E., S. L. M.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 92 days from the opening date within which to exercise their preference right to the land. These parties may present their applications at any time within 20 days prior to February 21, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on February 21, 1929.

On May 24, 1929, the land remaining unentered will be available for entry under any applicable public land law by the public generally. These parties may present their applications at any time within 20 days prior to May 24, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on May 24, 1929.

The land in T. 29 $\frac{1}{2}$ S., R. 23 E., is rolling and broken. The soil is sandy clay loam. A scattering growth of pinon, pine, and juniper is found in the eastern portion of the township. There are no springs, wells, or creeks.

The land in T. 30 S., R. 23 E., is rolling and broken by high mesas in the southwestern and northwestern portions. The soil is sandy clay loam. The timber is pinon, pine, and juniper on the tops of the mesas. There is a spring located in Sec. 18 and another in Sec. 3.

The land in both townships is suitable for grazing purposes. No indications of mineral deposits were observed in either township.

(96)
UTAH:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

OPEN TO ENTRY THROUGH SURVEY.

Approximately 10,000 acres of unreserved, unappropriated public land in Carbon County, Utah, will be opened to entry under the homestead and desert-land laws, on February 21, 1929, at 9 a. m. at the United States land office, Salt Lake City, Utah, through the filing of the plat of survey of T. 13 S., R. 8 E., S. L. M., Utah.

Part of the lands in this township are classified as coal lands and entries therefor under the nonmineral public land laws must be made subject to the conditions and reservations of the act of June 22, 1910 (36 Stat. 583).

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 92 days from the opening date within which to exercise their preference right to the land. These persons may present their applications at any time within the 20-day period prior to February 21, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 24, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period to May 24, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the date of opening of the lands to general disposition.

The character of the land is rough and mountainous. This township is located on top of and in the south breaks of the Wasatch Plateau, elevation 7,000 to 9,000 feet above sea level. Soil: brown, rocky loam on sandstone. The township is watered by Gordon, Beaver, and Spring Canyon Creeks with their tributaries. Timber: aspen and spruce on the higher sheltered north slopes. There is a good growth of grass suitable for grazing. The northern portion of the township is improved with railroads, tipples, power lines, tunnels, etc., for use in developing the large coal deposits known to exist in this area. No indications of metallic minerals were noted. Morton and Mutual are the largest coal towns in the township. Coal City and Gibson are smaller coal towns. There are many small ranches located along Gordon Creek. The mountainous area affords excellent grazing for cattle and sheep during the summer months.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

MEMORANDUM.

The plat of survey of an island in the Columbia River in Sec. 33, T. 40 N., R. 40 E., W. M., will be officially filed in the United States land office at Spokane, Washington, on February 21, 1929, at 9 a. m.

This island contains 1.11 acres and is about 25 feet above mean high water mark. The soil is rocky; the timber scattering scrub, fir, cedar, and juniper. No indications of mineral deposits were observed.

Owing to the small area involved no opening notice has been prepared in Washington, D. C., for distribution.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

MEMORANDUM.

The Executive order of September 13, 1859, which reserved certain lands in Ts. 40 and 41 N., R. 3 W., W. M., Washington for public purposes has been revoked so far as it applies to lot 2, Sec. 9, T. 40 N., R. 3 W., W. M., by Executive Order No. 4998 of November 21, 1928.

Beginning at 9 a. m. on February 27, 1929, said land will be open to preferred right of entry under the homestead and desert-land laws for a period of 91 days at the United States land office, Spokane, Washington, by qualified ex-service men of the World War and those persons claiming rights superior to that of the soldier.

Information of record indicates that a claim for the land is likely to be asserted by one who has occupied the tract for a number of years.

Owing to the small area involved, 36.25 acres, no opening notice has been prepared for distribution in Washington, D. C.

(71)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

WYOMING:

OPENED TO ENTRY THROUGH SURVEY.

Approximately 6,320 acres of unreserved, unappropriated public land in Johnson County, Wyoming, will be opened to homestead and desert-land entry on January 22, 1929, at 9 a. m. at the United States land office, Buffalo, Wyoming, through the filing of the plat of resurvey of T. 51 N., R. 80 W., 6th P. M., Wyoming.

All the land represented upon this plat has been classified as coal land.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the unreserved land. These parties may present their applications at any time within 20 days prior to January 22, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On April 23, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as though simultaneously filed at 9 a. m. on April 23, 1929.

The land in this township is rolling and mountainous. The soil is clay. The township is drained by Dry Creek, a very small stream of strong alkali water, and affords good grazing during the early summer months but is not adapted to farming.

(72)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

COLORADO:

OPEN TO ENTRY THROUGH SURVEY.

Approximately 22,900 acres of unreserved, unappropriated public lands in Rio Blanco County, Colorado, will be opened to homestead and desert-land entry on February 12, 1929, at 9 a. m. at the United States land office, Denver, Colorado, through the filing of the plat of survey of T. 2 S., R. 103 W., 6th P. M., Colorado.

The lands are embraced in a coal land withdrawal and entries therefor must be made subject to the conditions of the act of June 22, 1910 (36 Stat. 583), as to coal.

Qualified former service men of the World War and those persons claiming a preference right to the land superior to that of the soldier have 91 days from the opening date within which to exercise their preference right to the land. These persons may present their applications at any time within 20 days prior to February 12, 1929, and applications so received will be treated as though simultaneously filed at 9 a. m. on the opening date.

On May 14, 1929, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally. Applications by the general public may be presented at any time during the 20-day period prior to the date when the land is opened to general disposition. Applications so received will be treated as simultaneously filed at 9 a. m. on May 14, 1929.

The land is rough and mountainous in character. The soil is sandy clay. Timber consists of pinon and cedar. The area is suitable for grazing purposes. Indications of coal deposits are found throughout the township and a vein of gilsonite occurs in Sec. 5. There are no natural streams of water or springs. A State highway traverses the township from the northeast in a southerly direction to Dragon, Utah, the nearest post office, on the Uintah Railroad, a distance of about 15 miles.

(98)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

WYOMING:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Six hundred acres in Secs. 13, 14, 23, and 24, T. 44 N., R. 78 W., 6th P. M. in Johnson County, Buffalo land district, opened to entry only by ex-service men of the World War under the homestead and desert-land laws for a period of 91 days beginning February 27, 1929. Applications of such ex-service men may be presented at the United States land office at Buffalo during the 20 days prior to that date. On and after May 29, 1929, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public. The land has been released from driveway withdrawal, and further information, if desired, may be obtained from the United States land office at Buffalo, Wyoming.

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RECENT PROCLAMATIONS AND EXECUTIVE ORDERS.

Executive order of July 3, 1925, withdrawing with other lands, all lands on the mainland within 3 miles of the coast in the State of Alabama, has been revoked by order of December 3, 1928, as to 142.66 acres in Secs. 18, 19, 30, T. 4 S., R. 2 E., St. Stephens Meridian.

By proclamation of January 7, 1929, a tract of land in Washington has been excluded from the Mount Olympus National Monument, such tract to continue subject to the reservation thereof for national forest purposes.

Under order of January 14, 1929, certain lands in Roseau and Lake of the Woods counties, Minnesota, were withdrawn to effectuate the provisions of the act of Congress approved May 22, 1926 (44 Stat., 617).

By proclamation of January 14, 1929, the Custer State Park Game Sanctuary within the Harney National Forest, South Dakota, has been enlarged under the provisions of the act of June 7, 1924 (43 Stat. 632).

The trust period on the allotments of the Rosebud Indians in South Dakota, which would have expired in 1929, have by order of January 16, 1929, been extended ten years.

By order of January 18, 1929, the public lands in Ts. 14 and 15 S., R. 25 E., Tal. M., Florida, have been withdrawn pending resurvey of said townships.

By order of January 19, 1929, a tract of 40 acres in Sec. 15, T. 40 S., R. 7 E., W. M., Oregon, has been withdrawn for use by the State of Oregon as a lookout station, the timber thereon to remain subject to sale by the United States in accordance with the provisions of the act of June 9, 1916 (39 Stat., 218).

By orders of January 18, 1929, the public lands in Ts. 4 and 5 S., R. 23 E., and T. 2 S., R. 13 W., N. M. P. M., New Mexico, have been withdrawn pending resurvey of said townships.

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OIL AND GAS ACTIVITIES.

During the month of January the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 405 new applications and 3,741 applications for reconsideration. Permits were granted on 355 applications, 94 applications were finally rejected in entirety and 171 in part; 327 applications were rejected subject to appeal; 13 appeals were transmitted to the Secretary; 11 departmental decisions were promulgated, 9 affirming, 1 reversing and 1 modifying decisions by this office; 69 assignments were disposed of; 381 applications for extension of time were acted upon; 1,328 permits were held for cancellation and 432 were canceled; 1,173 applications were awaiting reports from the Geological Survey and 61 from the Reclamation Bureau, and 621 new cases are awaiting reports from the Survey. 4,485 letters were written of which 279 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 2 leases were delivered to lessees involving 1 case; 19 leases, involving 9 cases were transmitted to the Secretary for authorization; 2 leases were mailed to lessees for execution and return; 8 leases, involving 4 cases, were forwarded to the Secretary for execution; 3 lease applications were rejected subject to appeal; 1 lease was canceled; 4 applications for reduction of royalty were disposed of; approval of 4 sales contracts was recommended and same approved by Secretary; assignments in 12 cases received consideration, and suspension of drilling on 2 leases was recommended to the Secretary; actions involving bonds were taken in 4 cases; 2 assignments of royalty interests in leases were approved. 120 letters were written of which 46 were replies to inquiries.

During the month the Government consummated a contract with the Yale Oil Corporation of South Dakota for the purchase of the royalty oil in the Cat Creek oil field, Montana, the price paid being \$1.01 per barrel above the highest posted field price for oil of 39 to 39.9 gravity in Oklahoma and Kansas, or in Montana, whichever is higher.

On January 26, 1929, bids were called for the purchase of the Government's royalty oil in the Kettleman Hills oil field, California, delivery of oil to begin on April 1, 1929.

RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of December were \$301,184.17, including \$480 from naval petroleum reserves. This makes a total for the six months ended December 31, 1923, of \$1,711,621.26, distributed by States as follows:

Alabama	\$4,758.90	Louisiana	\$9,525.94	North Dakota	\$7,580.02
California	246,195.34	Montana	53,196.35	Utah	31,466.46
Colorado	54,921.58	Nevada	40.00	Washington	428.50
Idaho	1,269.26	New Mexico	19,385.04	Wyoming	1,282,853.87

[illegible]

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CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR MONTH OF DECEMBER, 1928.--Concluded.

[illegible]

(X) No report received from this office January 31, 1929.

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.





